

**WEDNESDAY, FEBRUARY 4, 1998**

**SIXTY-FIRST LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Dr. Harold Baker, David Lipscomb University, (Ret.), Brentwood, Tennessee

Representative Hood led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 468:** Rep(s). Towns as prime sponsor(s).

**House Joint Resolution No. 491:** Rep(s). Rhinehart and Curtiss as prime sponsor(s).

**House Bill No. 481:** Rep(s). Phelan as first prime sponsor(s).

**House Bill No. 1520:** Rep(s). McDonald, Fraley, White, Buck, Ridgeway, Cross, Sands, Eckles, Westmoreland, Rhinehart, Fowlkes, Lewis, Curtiss, Ferguson and Bone as prime sponsor(s).

**House Bill No. 1588:** Rep(s). Beavers as prime sponsor(s).

**House Bill No. 1789:** Rep(s). Ferguson as prime sponsor(s).

**House Bill No. 1790:** Rep(s). Bird as first prime sponsor(s).

**House Bill No. 1873:** Rep(s). Fraley as prime sponsor(s).

**House Bill No. 2046:** Rep(s). Curtiss as prime sponsor(s).

**House Bill No. 2095:** Rep(s). White as prime sponsor(s).

**House Bill No. 2118:** Rep(s). Armstrong, Cooper, Langster, Brooks, L. DeBerry, U. Jones, Miller, Brown, Towns and Turner(Shelby) as prime sponsor(s).

**House Bill No. 2208:** Rep(s). Cross as prime sponsor(s).

**House Bill No. 2290:** Rep(s). U. Jones, Armstrong, Towns, Cooper, Miller, Langster, Bowers, Brown and Turner(Shelby) as prime sponsor(s).

**House Bill No. 2293:** Rep(s). Miller, Armstrong, U. Jones, Towns, Brown, Cooper, Turner(Shelby) and Bowers as prime sponsor(s).

**House Bill No. 2344:** Rep(s). Pleasant, Haley and Hargett as prime sponsor(s).

**House Bill No. 2380:** Rep(s). Pleasant, Haley and Hargett as prime sponsor(s).

**House Bill No. 2444:** Rep(s). Pleasant, Stulce, Haley, Hargett and Ridgeway as prime sponsor(s).

**House Bill No. 2453:** Rep(s). Rhinehart as first prime sponsor(s).

**House Bill No. 2464:** Rep(s). Miller as prime sponsor(s).

**House Bill No. 2466:** Rep(s). Miller as prime sponsor(s).

**House Bill No. 2490:** Rep(s). Pleasant, Haley and Hargett as prime sponsor(s).

**House Bill No. 2517:** Rep(s). Fitzhugh, Goins, Scroggs, Brown and Turner(Hamilton) as prime sponsor(s).

**House Bill No. 2543:** Rep(s). Towns, Armstrong, Brooks, Cooper, Brown, Miller, Langster, Pruitt, Turner(Shelby) and Bowers as prime sponsor(s).

**House Bill No. 2544:** Rep(s). Armstrong, Towns, Brooks, Cooper, Brown, Miller, Langster, Bowers and Turner(Shelby) as prime sponsor(s).

**House Bill No. 2545:** Rep(s). U. Jones, Brown, Miller, Towns, Armstrong, Brooks, Cooper, Turner(Shelby) and Bowers as prime sponsor(s).



- House Bill No. 2583:** Rep(s). Fitzhugh and Ford as prime sponsor(s).
- House Bill No. 2584:** Rep(s). Walley as prime sponsor(s).
- House Bill No. 2585:** Rep(s). Walley as first prime sponsor(s).
- House Bill No. 2586:** Rep(s). Walley as prime sponsor(s).
- House Bill No. 2587:** Rep(s). Walley as first prime sponsor(s).
- House Bill No. 2588:** Rep(s). Walley as first prime sponsor(s).
- House Bill No. 2589:** Rep(s). Walley as first prime sponsor(s).
- House Bill No. 2590:** Rep(s). Walley as first prime sponsor(s).
- House Bill No. 2621:** Rep(s). Rhinehart as prime sponsor(s).
- House Bill No. 2670:** Rep(s). Brown, Turner(Hamilton) and Walker as prime sponsor(s).
- House Bill No. 2732:** Rep(s). Hargett as prime sponsor(s).
- House Bill No. 2904:** Rep(s). Cole(Dyer), Pruitt and White as prime sponsor(s).
- House Bill No. 2905:** Rep(s). Pruitt, Cole(Dyer) and White as prime sponsor(s).
- House Bill No. 2906:** Rep(s). Pruitt, Cole(Dyer) and White as prime sponsor(s).
- House Bill No. 2907:** Rep(s). Pruitt, Cole(Dyer) and White as prime sponsor(s).
- House Bill No. 2908:** Rep(s). Pruitt, Cole(Dyer) and White as prime sponsor(s).
- House Bill No. 2909:** Rep(s). Sands, Miller, Bowers, Ridgeway, Robinson, Chumney, Stulce, West, Fitzhugh, Pruitt, Cole(Dyer). White and Maddox as prime sponsor(s).
- House Bill No. 2910:** Rep(s). Pruitt, Cole(Dyer) and White as prime sponsor(s).
- House Bill No. 2914:** Rep(s). Winningham as prime sponsor(s).
- House Bill No. 2969:** Rep(s). Odom as prime sponsor(s).
- House Bill No. 3010:** Rep(s). Brooks, Cooper, Brown, Towns, Langster, U. Jones, Pruitt, Miller, L. DeBerry and Turner(Shelby) as prime sponsor(s).
- House Bill No. 3045:** Rep(s). Pleasant, Haley and Hargett as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Hargrove was/were removed as sponsor(s) of **House Bill No. 2453**.

**MESSAGE FROM THE SENATE**  
**February 3, 1998**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 367, 393, 395, 396 and 397; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Joint Resolution No. 367** -- Highway Signs - "Warren County Schools," McMinnville Bypass Exit S.R. 55. by \*Cooper.

**Senate Joint Resolution No. 393** -- Memorials, Death - Dr. Edgar Keene "E.K." Bratton. by \*Rochelle.

**Senate Joint Resolution No. 395** -- Memorials, Death - Herschel "H.I." Holt. by \*Rochelle.

**Senate Joint Resolution No. 396** -- Memorials, Death - James Alfred Donoho, former State Representative, Judge and Mayor of Hartsville. by \*Rochelle, \*Harper.

**Senate Joint Resolution No. 397** -- Flags - Urges proper display of Tennessee state flag. by \*Rochelle, \*Atchley, \*Burks, \*Carter, \*Clabough (S), \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**MESSAGE FROM THE SENATE**  
**February 3, 1998**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 621, 2053, 2060, 2064, 2065, 2160 and 2177; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 621** -- Professions and Occupations - Requires certain licensing bodies to state reasons for denial of license and what remedies available to obtain such license. Amends TCA Title 62 and Title 63. by \*Fowler.

**\*Senate Bill No. 2053** -- Sports - Authorizes commissioner of commerce and insurance to withhold all or part of purse or other money payable to contestant, manager or second in professional boxing match for certain misconduct by such participants Amends TCA Title 68, Chapter 115, Part 2. by \*Cohen.

**WEDNESDAY, FEBRUARY 4, 1998 -- SIXTY-FIRST LEGISLATIVE DAY**

**\*Senate Bill No. 2060** -- Highway Signs - Provides for erection of directional signs indicating most direct route to Fayetteville at Exit 127 on I-24. by \*Cooper.

**\*Senate Bill No. 2064** -- Highway Signs - "Ernest 'Chip' Koella IV Memorial Bridge, S.R. 33, Little River, Blount County. by \*Koella, \*Atchley, \*Cooper, \*Henry, \*Herron.

**\*Senate Bill No. 2065** -- Utilities, Utility Districts - Changes procedures and policies for filling positions on board of commissioners for water utility districts lying in Franklin County. Amends TCA Section 7-82-307(ff). by \*Cooper.

**\*Senate Bill No. 2160** -- Municipal Government - Establishes four year window for municipal clerk or recorder appointed after 7/1/94 to meet certification requirement Amends TCA Section 6-54-120. by \*Womack.

**Senate Bill No. 2177** -- Military - Revises name of Tennessee defense force to Tennessee state guard. Amends TCA Title 58, Chapter 1. by \*Haynes, \*Henry, \*Harper, \*Burks, \*Miller J, \*Dixon, \*Womack.

**SIGNED  
February 3, 1998**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 376, 377, 378, 384 and 400.

**ENROLLED BILLS  
February 3, 1998**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 460, 461, 462, 463 and 485.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
February 3, 1998**

The Speaker signed the following: House Joint Resolution(s) No(s). 460, 461, 462, 463 and 485

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK  
February 3, 1998**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 442, 443, 444, 445, 446, 447, 448, 451, 452, 453, 454, 455, 457, 458 and 486.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**  
**February 3, 1998**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 401, without his signature.

COURTNEY PEARRE, Counsel to the Governor.

**GOVERNOR'S STATEMENT ON HOUSE BILL NO. 401**

February 3, 1998

The Honorable Jimmy Naifeh  
Speaker of the House  
19 Legislative Plaza  
Nashville, Tennessee 37243-0181

Dear Speaker Naifeh:

I am returning House Bill No. 401 without my signature.

Although I support what the General Assembly is trying to accomplish, safe cost efficient transportation of students, I cannot sign HB 401 for the below-listed reasons:

1. My legal counsel has been informed by the Office of the Attorney General and Reporter that blanket waivers of federal regulations is probably ineffective;
2. Where waivers of federal regulations are permitted, they should be specifically drawn and as effective, or more so, than the federal regulations that they replace; and
3. The federal regulation, 23 CFR 1204.4, which is specifically mentioned in HB 401, was removed from The Code of Federal Regulations in 1995.

Because I am confident that Tennessee's Department of Education will, under T.C.A. §49-6-2102, promulgate rules and regulations which protect our students while traveling in vans, I will permit HB 401 become law without my signature.

Sincerely,

Don Sundquist

**MESSAGE FROM THE GOVERNOR**  
**February 4, 1998**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 442, 443, 444, 445, 446, 447, 448, 451, 452, 453, 454, 455, 457, 458 and 486, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**MESSAGE FROM THE SENATE**  
**February 4, 1998**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 35, 380, 381, 382, 385, 386, 387, 388, 390 and 391; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**February 4, 1998**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 460, 461, 462, 463 and 485; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**February 4, 1998**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2045, 2047, 2197 and 2288; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**February 4, 1998**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2050, 2051, 2053, 2054, 2062, 2064, 2065, 2068 and 2069; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**February 4, 1998**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2074, 2075, 2079, 2083, 2084, 2085, 2086, 2087, 2089, 2092, 2094, 2118 and 2928; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Bill No. 2074** -- Sunset Laws - State agencies publication committee, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 12, Chapter 7. by \*Springer.

**Senate Bill No. 2075** -- Sunset Laws - Tennessee wars commission, June 30, 2005. Amends TCA Title 4, Chapter 29. by \*Springer.

**Senate Bill No. 2079** -- Sunset Laws - Tennessee motor vehicle commission, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 55, Chapter 17. by \*Springer.

**WEDNESDAY, FEBRUARY 4, 1998 -- SIXTY-FIRST LEGISLATIVE DAY**

**Senate Bill No. 2083** -- Sunset Laws - Sex offender treatment board, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 39, Chapter 13. by \*Springer.

**Senate Bill No. 2084** -- Sunset Laws - Department of employment security, June 30, 2004. by \*Springer.

**Senate Bill No. 2085** -- Sunset Laws - Appeals tribunal, department of employment security, June 30, 2004. Amends TCA Title 4, Chapter 29; Title 50, Chapter 7. by \*Springer.

**Senate Bill No. 2086** -- Sunset Laws - Board of review, department of employment security, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 7. by \*Springer.

**Senate Bill No. 2087** -- Sunset Laws - Employment security advisory council, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 7. by \*Springer.

**Senate Bill No. 2089** -- Sunset Laws - Historical commission, June 30, 2006. Amends TCA Title 4, Chapter 11 and Title 4, Chapter 29. by \*Springer.

**Senate Bill No. 2092** -- Sunset Laws - Cragfont restoration commission, June 30, 2006; prohibits new members from being appointed; terminates commission when not enough members for quorum. Amends TCA Title 4, Chapter 13 and Title 4, Chapter 29. by \*Springer.

**\*Senate Bill No. 2094** -- Sunset Laws - Public livestock market board, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 44, Chapter 12. by \*Springer.

**\*Senate Bill No. 2118** -- Sunset Laws - Higher education and technical institution publication committee, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 12, Chapter 7. by \*Springer.

**Senate Bill No. 2928** -- Knox County - Subject to local approval, adds exemption to amusement tax. Amends Chapter 82 of the Private Acts of 1991. by \*Atchley.

**MESSAGE FROM THE SENATE**

**February 4, 1998**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 435 and 437; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 435** -- Naming and Designating - "National School Counseling Week," February 2-6, 1998. by \*Crutchfield, \*Leatherwood.

**Senate Joint Resolution No. 437** -- Memorials, Personal Occasion - Jenny Graff, birthday. by \*Haynes.

**PERSONAL ORDERS**

Rep. Cross moved that House Joint Resolution No. 497 be removed from the Consent Calendar and be placed on the Calendar for Thursday, February 26, 1998, which motion prevailed.

**RULES SUSPENDED**

Rep. Bowers moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 507 out of order, which motion prevailed.

**House Joint Resolution No. 507** -- Naming and Designating - "Earthquake Awareness Week," February 2-6, 1998. by \*Bowers.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Bowers, with the request that all members be added as sponsors, the resolution was adopted.

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Resolution No. 142** -- General Assembly, Statement of Intent or Position - Expresses sense of house that members, staff, and visitors should refrain from smoking in certain areas of State Capitol and Legislative Plaza. by \*Cooper B, \*West, \*Beavers, \*Scroggs, \*Towns, \*Miller L, \*Patton, \*Turner (Shelby), \*Kernell, \*DeBerry J, \*Brown.

Agriculture Committee

**\*House Resolution No. 143** -- Memorials, Congress - Urges money be redirected from military budget to states for community improvements. by \*Bowers.

State & Local Government Committee

**\*House Joint Resolution No. 496** -- General Assembly, Studies - Continues study committee to examine usage and effects of Ritalin and other amphetamines. by \*Brown, \*Ford S, \*Brooks, \*Stamps.

Health & Human Resources Committee

**House Joint Resolution No. 499** -- Naming and Designating - "Officer Don Williams Day," February 1, 1998. by \*Cooper B, \*Towns, \*Miller L, \*Jones U (Shelby), \*Turner (Shelby), \*Brooks, \*Brown, \*Armstrong.

## WEDNESDAY, FEBRUARY 4, 1998 -- SIXTY-FIRST LEGISLATIVE DAY

### State & Local Government Committee

**\*House Joint Resolution No. 500** -- Memorials, Government Officials - Directs department of agriculture and TWRA to create partnership to improve educational process relative to Tennessee laws governing hunting and fishing on privately owned lands. by \*Bittle.

### Conservation & Environment Committee

**\*House Joint Resolution No. 501** -- Memorials, Congress - Encourages lowering of interest rates on student loans. by \*Cooper B, \*Pruitt, \*Towns, \*Miller L, \*Jones U (Shelby), \*Turner (Shelby), \*Brooks, \*Bowers, \*Armstrong.

### Education Committee

**\*House Joint Resolution No. 502** -- General Assembly, Directed Studies - Requests Tennessee council of juvenile and family court judges to study feasibility of conducting court after 6:00 p.m. at least one evening per week in each juvenile court. by \*Chumney.

### Children & Family Affairs Committee

## RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 5, 1998:

**House Resolution No. 144** -- Memorials, Personal Achievement - Eric Lee, Eagle Scout. by \*Kerr.

**House Joint Resolution No. 503** -- Memorials, Retirement - G.K. Anderson. by \*Davidson.

**House Joint Resolution No. 506** -- Memorials, Academic Achievement - Vincent Charles Betro, Bartlett High School. by \*Hargett.

**House Joint Resolution No. 508** -- Memorials, Retirement - Marilyn Field, Department of Human Services. by \*Jackson.

**House Joint Resolution No. 509** -- Memorials, Sports - 1997 Dyersburg High School football team. by \*Cole (Dyer).

**House Joint Resolution No. 510** -- Memorials, Professional Achievement - Jim and Jesse McReynolds, 1997 National Heritage Fellowship. by \*McDonald.

**House Joint Resolution No. 516** -- Memorials, Sports - 1997 Battle Ground Academy football team, TSSAA Division 2, Class A state champion. by \*Sargent, \*Williams (Williamson).



**SENATE JOINT RESOLUTIONS**  
**(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 5, 1998:

**Senate Joint Resolution No. 393** -- Memorials, Death - Dr. Edgar Keene "E.K." Bratton. by \*Rochelle.

**Senate Joint Resolution No. 395** -- Memorials, Death - Herschel "H.I." Holt. by \*Rochelle.

**Senate Joint Resolution No. 396** -- Memorials, Death - James Alfred Donoho, former State Representative, Judge and Mayor of Hartsville. by \*Rochelle, \*Harper.

**RESOLUTIONS LYING OVER**

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

**\*Senate Joint Resolution No. 367** -- Highway Signs - "Warren County Schools," McMinnville Bypass Exit S.R. 55. by \*Cooper.

Transportation Committee

**Senate Joint Resolution No. 397** -- Flags - Urges proper display of Tennessee state flag. by \*Rochelle, \*Atchley, \*Burks, \*Carter, \*Clabough (S), \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

State & Local Government Committee

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 2922** -- Motor Vehicles - Prohibits motor vehicle dealers located in counties requiring emissions tests from selling motor vehicles designated to submit to emissions test unless certificate of compliance has been issued. Amends TCA Title 55, Chapter 17. by \*Robinson.

**\*House Bill No. 2923** -- Contractors - Requires every construction manager to obtain contractor's license regardless of dollar value of project. Amends TCA Title 62, Chapter 6. by \*Haley, \*Pleasant, \*Ford S.

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**House Bill No. 2924** -- Garland - Subject to local approval, abolishes office of marshal at end of incumbent's term of office Amends Chapter 35 of the Private Acts of 1913; as amended. by \*Naifeh.

**House Bill No. 2925** -- Employees, Employers - Excuses from employment one day each year employee with school-age children in order that such employee can meet with children's teachers; employer has discretion to pay such employee or not. Amends TCA Title 50, Chapter 1, Part 3. by \*Tidwell.

**House Bill No. 2926** -- Appeal and Review - Permits, upon request, judicial review within 40 days if appealed board decision affects First Amendment rights Amends TCA Section 27-9-111. by \*Robinson, \*Buck.

**House Bill No. 2927** -- Utilities, Utility Districts - Authorizes water and/or sewer utility, operated by metropolitan government, to participate with local housing authority to provide certain services. Amends TCA Title 7, Chapter 3, Part 3. by \*Jones, S., \*Garrett, \*Langster, \*Robinson.

**\*House Bill No. 2928** -- Tort Liability - Establishes duty of care for business owner to implement security measures for customers if criminal acts of others are reasonably foreseeable. by \*Buck.

**\*House Bill No. 2929** -- Gambling - Punishes offense of engaging in lottery, chain letter or pyramid club same as theft and grades offense according to aggregate amount of money involved. Amends TCA Title 39, Chapter 17, Part 5. by \*Buck.

**\*House Bill No. 2930** -- Hospitals and Health Care Facilities - Requires board for licensing health care facilities to grant license to same-day birthing centers if state fire marshal has previously approved facility in which center is located Amends TCA Title 68, Chapter 11. by \*Buck.

**\*House Bill No. 2931** -- Child Abuse - Increases punishment for offense of child abuse and neglect from Class A misdemeanor to Class D felony if child is 13 years of age or less, rather than present requirement that child be six years of age or less. Amends TCA Title 39, Chapter 15. by \*Buck.

**\*House Bill No. 2932** -- Utilities, Utility Districts - Increases maximum possible per diem payment for commissioner of financially sound natural gas utility district from \$300 to \$500. Amends TCA Title 7, Chapter 82, Part 3. by \*Buck.

**House Bill No. 2933** -- Emergency Communications Districts - Specifies that enhanced 911 service not required until it can be funded and provided statewide. Amends TCA Title 7, Chapter 86. by \*McMillan.

**House Bill No. 2934** -- Alcoholic Beverage Commission - Authorizes commission to promulgate rules governing transportation and service of alcoholic beverages for educational seminars. Amends TCA Section 57-1-211; Section 57-1-209; Section 57-3-402 and Section 57-3-404. by \*Rhinehart.

**House Bill No. 2935** -- Alcoholic Beverages - Restricts definition of "beer" to fermented beverages; deletes 1997 beer container size statute. Amends TCA Section 57-3-101; Section 57-3-103 and Title 57, Chapter 5 and Chapter 560 of the Public Acts of 1997 as codified in TCA Section 57-5-112. by \*Rhinehart.

**\*House Bill No. 2936** -- Taxes - Excludes from telecommunications definition for sales and use taxes purposes access charges for Internet services under certain circumstances; redefines "WATS services" for sales and use tax purposes. Amends TCA Section 67-6-102. by \*Cole (Dyer).

**House Bill No. 2937** -- Dyersburg - Subject to local approval, establishes new election date for board of mayor and aldermen to coincide with the general election, beginning in November 2002. Amends Chapter 410 of the Acts of 1903, as amended. by \*Cole (Dyer).

**House Bill No. 2938** -- Hospitals and Health Care Facilities - Authorizes hospital or nursing home to apply for certificate of need for certain number of nursing home beds, limited solely to provision of subacute services. Amends TCA Title 68, Chapter 11. by \*Eckles.

**House Bill No. 2939** -- Hospitals and Health Care Facilities - Authorizes hospitals to convert certain number of hospital beds to nursing home beds available solely for subacute care. Amends TCA Title 68, Chapter 11. by \*Eckles.

**\*House Bill No. 2940** -- Criminal Procedure - Requires certain hearings regarding forfeiture of vehicle to be held in county where vehicle owner resides. Amends TCA Title 40, Chapter 33, Part 2. by \*Phelan.

**House Bill No. 2941** -- Dyer - Subject to local approval, redefines "voter" to include owners of certain amount of taxable real estate located in corporate limits; revises election date for board of mayor and aldermen to coincide with general election date. Amends Chapter 267 of the Acts of 1899; as amended. by \*Phelan.

**House Bill No. 2942** -- County Officers - Authorizes \$1,500 annual incentive payment to certified public administrators. Amends TCA Title 5, Chapter 1, Part 3. by \*Whitson.

**House Bill No. 2943** -- Unicoi County - Subject to local approval, changes size of board of education to six members, two elected for each county magisterial district. Amends Chapter 39 of the Private Acts of 1953. by \*Whitson.

**\*House Bill No. 2944** -- Insurance Companies, Agents, Brokers - Authorizes commissioner to prescribe rules of conduct for insurance agents, agencies and insurers and to define terms in TCA Title 56, Chapter 6, Part 1. Amends TCA Title 56, Chapter 6, Part 1. by \*Scroggs.

**House Bill No. 2945** -- Insurance Companies, Agents, Brokers - Establishes procedures and protections for insurance compliance self-evaluative audits and documents prepared in connection with such audits. Amends TCA Title 56, Chapter 3, Part 1. by \*Fitzhugh.

**House Bill No. 2946** -- Highway Signs - "John Sevier Highway," S.R. 107, Washington County. by \*Patton, \*Ford S, \*Godsey, \*Cole (Carter), \*Hicks.

**\*House Bill No. 2947** -- Civil Service - Requires department of health to employ health educators certified by National Commission for Health Education Credentialing, Inc. for health educator positions if certified individuals have applied and are available; otherwise positions to be filled by certain college graduates. Amends TCA Title 8, Chapter 30. by \*Patton, \*Cole (Dyer), \*Beavers.

**House Bill No. 2948** -- Alcoholic Beverages - Authorizes "sports authority facility" to obtain liquor by the drink permit. Amends TCA Section 57-4-101; Section 57-4-102; Section 57-4-201 and Section 57-4-203. by \*Langster, \*Robinson, \*Pruitt.

**House Bill No. 2949** -- Insurance, Health, Accident - Enacts "Consumer Health Care Advocacy Act." Amends TCA Title 56. by \*McDaniel.

**House Bill No. 2950** -- Sullivan County - Subject to local approval, amends charter relative to the authority and responsibilities of county purchasing agency. Amends Chapter 261 of the Private Acts of 1947. by \*Westmoreland, \*Godsey, \*Mumpower.

**\*House Bill No. 2951** -- Criminal Offenses - Expands scope of offense of sexual battery by authority figure. Amends TCA Section 39-13-527. by \*Westmoreland.

**House Bill No. 2952** -- Criminal Offenses - Expands offense of false reporting to include false statements made by person in response to inquiry of law enforcement officer as well as false statements initiated by such person. Amends TCA Section 39-16-502. by \*Westmoreland.

**House Bill No. 2953** -- Culture - Enacts "Tennessee Public Arts Act." Amends TCA Title 4, and Section 9-21-105 (20)(A). by \*Garrett.

**House Bill No. 2954** -- County Officers - Provides that members of county board of sanitation may be compensated in accordance with resolution adopted by county legislative body. Amends TCA Section 5-19-104. by \*Roach.

**\*House Bill No. 2955** -- Polygraph - Revises minimum instrumentation requirements used to detect deception to include measurable psychological stress factors. Amends TCA Section 62-27-103. by \*Ford S, \*Haley, \*Pleasant, \*Sharp, \*Scroggs, \*Patton, \*Tidwell, \*Kent, \*Cole (Carter), \*Fraleay.

**\*House Bill No. 2956** -- Criminal Procedure - Authorizes verdict of "guilty by reason of mental illness" in criminal cases and, unless paroled, requires convicted person to serve remainder of sentence following discharge from treatment. Amends TCA Title 40, Chapter 18 and 35. by \*Ford S, \*Haley, \*Pleasant, \*Sharp, \*Scroggs, \*Patton, \*Walker, \*Kent, \*Cole (Carter), \*Fraleay.

**\*House Bill No. 2957** -- Drugs - Adds ketamine hydrochloride to list of Schedule IV controlled substances. Amends TCA Title 39, Chapter 17, Part 4. by \*Chumney.

**House Bill No. 2958** -- Real Estate Agents and Brokers - Increases penalty for acting as real estate broker without license from Class B misdemeanor to Class E felony; deletes requirement that broker file certificate with real estate commission. Amends TCA Section 62-13-110 and Section 62-13-112. by \*McDonald.

**House Bill No. 2959** -- Real Estate Agents and Brokers - Exempts affiliate broker licensed before 7/1/80, who has taken 240 hours of continuing education from having to take any further continuing education. Amends TCA Section 62-13-303. by \*McDonald.

**House Bill No. 2960** -- Real Estate Agents and Brokers - Authorizes payment of errors and omissions insurance to be made directly to insurer; deletes requirement licensees file certificate of coverage with real estate commission. Amends TCA Section 62-13-112. by \*McDonald.

**House Bill No. 2961** -- Real Estate Agents and Brokers - Exempts affiliate brokers licensed before 7/1/80, who have taken 240 hours of continuing education from having to take any further continuing education. Amends TCA Section 62-13-303. by \*McDonald.

**House Bill No. 2962** -- Westmoreland - Subject to local approval, permits sale of city utility system without referendum of people. Amends Chapter 306 of the Private Acts of 1951, as amended. by \*McDonald.

**House Bill No. 2963** -- Highway Signs - Vanderbilt University, certain exits of 1-440. by \*Robinson, \*Pruitt, \*Langster, \*West, \*Odom.

**House Bill No. 2964** -- Insurance, Motor Vehicles - Requires liability insurance to be maintained on motor vehicles. Amends TCA Titles 55 and 56. by \*Robinson.

**House Bill No. 2965** -- DUI/DWI Offenses - Requires court to order use of ignition interlock device on person's vehicle when such person convicted of DUI, or pending trial on a DUI charge if person refused breath test or tested .10 percent or above. Amends TCA Title 55, Chapter 10. by \*Robinson.

**House Bill No. 2966** -- Real Property - Reduces, from one year to 90 days, period of redemption for property sold at tax sales in any county having charter form of government. Amends TCA Title 67, Chapter 5, Part 27. by \*Burchett, \*Armstrong, \*Tindell, \*Boyer, \*Dunn, \*Bittle.

**House Bill No. 2967** -- Limitation of Actions - Establishes eight year limitation of prosecution for arson which is Class C felony if other than place of worship; change conforms to present eight year limitation for Class B felony if arson of place of worship. Amends TCA Title 39, Chapter 14, Part 3 and Section 40-2-101. by \*Pleasant, \*Haley, \*Ford S, \*Hargett, \*Miller L, \*Kent, \*Cole (Carter), \*Turner (Shelby), \*Chumney, \*Jones U (Shelby).

**House Bill No. 2968** -- Taxes, Real Property - Exempts property used by public airports from property taxes. Amends TCA Title 67, Chapter 5. by \*Boner.

**House Bill No. 2969** -- Education, Higher - Redesignates state technical institutes as two-year colleges. Amends TCA Section 49-11-402. by \*Hargrove, \*Odom.

**House Bill No. 2970** -- Health - Establishes procedures and protections for use of automatic external defibrillators to save life of person in cardiac arrest. Amends TCA Section 63-6-218 and Title 68, Chapter 140. by \*Halteman Harwell.

**\*House Bill No. 2971** -- Criminal Procedure - Authorizes statements made to another person by child under 14 regarding abuse or sexual abuse to be admitted in court if such child is available to testify regarding such statements. Amends TCA Title 37, Chapter 1, Part 6. by \*Halteman Harwell.

**\*House Bill No. 2972** -- Highway Signs - VA Medical Center in Nashville, I-24, I-40, I-65, and I-440. by \*Halteman Harwell.

**House Bill No. 2973** -- Taxes, Litigation - Establishes in Davidson and Shelby counties \$1.50 litigation tax in all criminal cases to support crime stoppers program. Amends TCA Title 67, Chapter 4, Part 6. by \*Kisber.

**House Bill No. 2974** -- Correctional Programs - Authorizes inmates housed in jail operated by metropolitan government to perform labor for housing authority or social service agency in certain public programs; exempts government or agency from certain liability. Amends TCA Title 7, Chapter 3, Part 3. by \*Garrett.

**House Bill No. 2975** -- Taxes, Sales - Redefines "industrial machinery" to include certain machinery, apparatus and equipment utilized in making photographic images for resale; specifies sale, use, storage or consumption of chemicals, splicing tape, film and other materials for such purposes excluded from tax. Amends TCA Section 67-6-102. by \*Rinks.

**House Bill No. 2976** -- Local Government, General - Imposes certain planning and cooperative requirements on units of local government in order to promote greater efficiency, economy, effectiveness and responsiveness. Amends TCA Title 13. by \*Rinks.

**House Bill No. 2977** -- Parks, Natural Areas Preservation - Authorizes archaeological work to be performed at T.O. Fuller State Park. Amends TCA Title 11. by \*Cooper B, \*Jones U (Shelby), \*Turner (Shelby), \*Brooks, \*Brown.

**House Bill No. 2978** -- Parks, Natural Areas Preservation - Creates remedial maintenance and repair budget for state parks; requires department to prioritize needs and fund projects at first five parks on priority list. Amends TCA Title 11, Chapter 3. by \*Cooper B, \*Townes, \*Miller L, \*Pruitt, \*Jones U (Shelby), \*Langster, \*Turner (Shelby), \*Bowers, \*Brown, \*Armstrong.

**House Bill No. 2979** -- Campaigns - Restricts fundraising of state and local officeholders with four year or longer term to 60 days after election and two years before next election. Amends TCA Title 2, Chapter 10. by \*Ritchie.

**House Bill No. 2980** -- Bail, Bail Bonds - Provides for licensure of bail bondsmen; creates Tennessee bail bondsmen commission. Amends TCA Title 4, Chapter 29; Title 40, Chapter 11 and Title 62. by \*Ritchie.

**House Bill No. 2981** -- Criminal Offenses - Creates Class E felony offense of convicted criminal communicating for no legitimate purpose with victim of crime in threatening or harassing manner whether in person, by telephone or in writing. Amends TCA Title 39, Chapter 17, Part 3. by \*Ritchie.

**WEDNESDAY, FEBRUARY 4, 1998 -- SIXTY-FIRST LEGISLATIVE DAY**

**House Bill No. 2982** -- Election Laws - Prohibits solicitation, acceptance and making of political campaign contributions while on government property. Amends TCA Title 2, Chapter 10, Part 1. by \*Ritchie.

**House Bill No. 2983** -- Advertising - Increases permit fee for billboards by \$25.00 and renewal fee by \$20.00 with new revenues dedicated to billboard condemnation fund. Amends TCA Title 54, Chapter 21. by \*Ritchie.

**\*House Bill No. 2984** -- Pensions and Retirement Benefits - Provides that state will pay same portion of premium for group insurance for retired teachers that it pays for retired state employees. Amends TCA Title 8, Chapter 27, Part 3. by \*Winningham, \*Ferguson.

**\*House Bill No. 2985** -- Historical Sites - Transfers administration of Cordell Hull birthplace from department of environment and conservation to historical commission. Amends TCA Title 4, Chapter 13, Part 6. by \*Winningham.

**\*House Bill No. 2986** -- Highway Signs - City of Celina, I-40. by \*Winningham.

**House Bill No. 2987** -- Byrdstown - Subject to local approval, changes date for ratification of revised charter. Amends Chapter 88 of the Private Acts of 1997. by \*Winningham.

**House Bill No. 2988** -- Basic Education Program (BEP) - Adds language to recognize full funding of BEP in 1997-1998 fiscal year; deletes provisions of Tennessee Education Finance Act of 1977. Amends TCA Title 49, Chapters 1 through 12 and Chapter 50. by \*Davidson.

**House Bill No. 2989** -- Education, Higher - Provides for annual joint meetings of the Tennessee Higher Education Commission, state board of regents, and UT board of trustees; also provides for publicizing B.E.S.T. Act. Amends TCA Title 49, Chapter 7; Title 49, Chapter 8, Parts 1 and 2; and Title 49, Chapter 9, Parts 1 and 2. by \*Davidson.

**House Bill No. 2990** -- Education - Changes references to "superintendent of school" or similar to "director of schools" or similar to reflect implementation of Education Improvement Act of 1992. Amends TCA Title 49. by \*Davidson.

**House Bill No. 2991** -- Taxes, Sales - Exempts from sales tax computer software used as tool in treating diagnosed learning disabilities. Amends TCA Title 67, Chapter 6, Part 3. by \*DeBerry J.

**House Bill No. 2992** -- Education, Higher - Provides for advisory committee on placement of undergraduate and graduate interns. Amends TCA Title 49, Chapter 50, Part 6. by \*Davidson.

**House Bill No. 2993** -- Motor Vehicles, Titling and Registration - Authorizes proceeds from fees for "Helping Schools" special license plates to be allocated to particular named school upon designation of person purchasing such plate. Amends TCA Section 55-4-249. by \*Davidson.

**House Bill No. 2994** -- Trade Regulation - Restricts sale of a variety of products at flea markets. Amends TCA Title 47, Chapter 25. by \*Maddox.

**House Bill No. 2995** -- Assessors - Provides that municipalities shall bear pro-rata share of cost of personal property. Amends TCA Section 67-5-507. by \*Maddox.

**House Bill No. 2996** -- Bonding, Surety and Professional - Establishes standard procedure for filing surety bonds of public officials. Amends TCA Title 5; Title 8; Title 9; Title 18; Title 54 and Title 67. by \*White.

**House Bill No. 2997** -- Taxes, Real Property - Requires copy or reproduction of property maps, filed by assessor with county register of deeds to be in format and storage medium approved by director of division of property assessments. Amends TCA Section 67-5-806. by \*White.

**House Bill No. 2998** -- Taxes - Establishes new requirements and fees for non-attorney agent authorized to represent taxpayer in certain proceedings. Amends TCA Section 67-5-1514. by \*White.

**House Bill No. 2999** -- Berry Hill - Subject to local approval, revises board of civil service; extends civil service provisions to all full-time employees. - Repeals Chapter 367 of the Private Acts of 1953. by \*Pruitt.

**House Bill No. 3000** -- Pharmacy - Requires managed care organizations to offer contract to any licensed pharmacist in service area to provide pharmacy services. Amends TCA Title 56, Chapter 32 and Title 63, Chapter 10. by \*Eckles.

**House Bill No. 3001** -- Aged Persons - Redefines "home for the aged" to delete references to institutional and residential home for the aged to conform language in TCA to those institutions or facilities department of health is empowered to license; clarifies definition of "home for the aged resident." Amends TCA Section 68-11-201. by \*Eckles.

**House Bill No. 3002** -- Mental Health and Mental Retardation, Dept. of - Transfers supervision and oversight of department of mental health and mental retardation to mental health and mental retardation authority; commissioner of authority to be appointed by general assembly. Amends TCA Title 4, Chapters 3 and 29, and Title 33. by \*Eckles.

**House Bill No. 3003** -- Alcoholic Beverages - Permits licensed hotels and restaurants to provide alcoholic beverages at catered events upon notice to commission. Amends TCA Section 57-4-101; Section 57-4-102; Section 57-4-203 and Section 57-4-301. by \*Arriola.

**\*House Bill No. 3004** -- Criminal Procedure - Requires removal and destruction of all public records concerning person who was arrested but released and never charged with crime. Amends TCA Section 40-32-101. by \*Scroggs.

**House Bill No. 3005** -- Taxes, Real Property - Increases gross income basis for property tax relief provided to certain low income, elderly homeowners and to certain low income, disabled homeowners. Amends TCA Title 67, Chapter 5, Part 7. by \*Turner (Hamilton), \*Fowlkes, \*Beavers, \*Armstrong, \*Brown, \*Cross, \*Stulce, \*McMillan, \*Jones, S., \*Pruitt, \*Cole (Dyer), \*DeBerry J., \*Ritchie, \*Arriola, \*Ferguson, \*Whitson, \*Curtiss.



**House Bill No. 3006** -- Basic Education Program (BEP) - Provides certain state funding for attendance teachers within each LEA; requires LEAs to employ attendance teachers at certain minimum ratios. Amends TCA Section 49-3-359 and Section 49-6-3006. by \*Turner (Hamilton), \*Pruitt, \*Jones, S..

**House Bill No. 3007** -- Basic Education Program (BEP) - Provides that BEP funding provided to LEAs specifically for public school nurses and school health services must be expended for such purposes or must be returned to the state. Amends TCA Section 49-3-359 and Title 68, Chapter 1, Part 12. by \*Turner (Hamilton), \*Jones, S., \*Pruitt, \*McMillan.

**House Bill No. 3008** -- Courts, Juvenile - Imposes misdemeanor sanctions upon certain parents and legal guardians who knowingly violate or refuse to comply with certain order of juvenile court. Amends TCA Section 37-1-174. by \*Turner (Hamilton), \*Pruitt, \*Jones, S..

**House Bill No. 3009** -- Courts, Juvenile - Directs council of juvenile and family court judges to appoint staff attorney. Amends TCA Section 37-1-503. by \*Turner (Hamilton), \*Pruitt, \*McMillan.

**House Bill No. 3010** -- Minority Affairs - Directs black health care coalition to create statewide system comprised of six regional black health coalitions; directs such regional coalitions to perform certain duties. Amends TCA Section 3-15-402 and Title 68, Chapter 1. by \*Armstrong, \*Pruitt, \*Langster, \*DeBerry J, \*Jones U (Shelby), \*Turner (Shelby), \*Brooks, \*DeBerry L, \*Bowers, \*Towns, \*Cooper B, \*Turner (Hamilton), \*Brown, \*Miller L.

**House Bill No. 3011** -- Financial Institutions, Dept. of - Prohibits financial institution or any person or entity extending credit to require production of copy of divorce decree from woman if it does not require same of a man. Amends TCA Title 45, Chapter 1, Part 1. by \*Turner (Hamilton), \*Bowers, \*McMillan, \*Eckles, \*Pruitt, \*Jones, S..

**House Bill No. 3012** -- Motor Vehicles - Revises from one day to seven days time within which local law enforcement agency should forward written report of motor vehicle accident to department of safety; requires department to monitor timeliness of forwarding of such reports. Amends TCA Section 55-10-108. by \*Westmoreland.

**House Bill No. 3013** -- Safety, Dept. of - Directs the use of uniform traffic citation by all law enforcement agencies after 1/1/99, such uniform traffic citation to be developed by department. Amends TCA Section 55-10-208. by \*Westmoreland.

**\*House Bill No. 3014** -- Education - Authorizes Watkins Institute trustees to sell or exchange real or personal property and to construct or lease property. Amends TCA Title 49, Chapter 50, Part 7. by \*Halteman Harwell.

**House Bill No. 3015** -- Fees - Requires 5 percent or 10 percent clerk's commission on delinquent property taxes to be additional fee rather than deducted from delinquent taxes paid. Amends TCA Section 8-21-401. by \*West.

**House Bill No. 3016** -- Tennessee Housing Development Agency - Permits use of agency assets fund to support bond and loan programs of Tennessee Industrial Finance Corporation. Amends TCA Title 4, Chapter 17, Part 4. by \*Hargrove.

**House Bill No. 3017** -- Tennessee Higher Education Commission - Requires submission of fingerprints to THEC by personnel of post-secondary educational institutions for criminal background checks. Amends TCA Title 49, Chapter 7, Part 20. by \*Pinion.

**\*House Bill No. 3018** -- Day Care - Requires any child care operation for compensation providing day care to more than four children, whether related or not to the primary care giver, to be licensed. Amends TCA Title 71, Chapter 3, Part 5. by \*Pinion.

**House Bill No. 3019** -- Unemployment Compensation - Disqualifies claimant from receiving unemployment benefits if such claimant was discharged for placing claimant's employer in violation of Fair Labor Standards Act. Amends TCA Section 50-7-303. by \*Pinion.

**House Bill No. 3020** -- Taxes, Gasoline, Petroleum Products - Specifies that \$200,000 from gasoline tax revenues be apportioned to Tennessee transportation assistance program. Amends TCA Section 67-3-2001(g). by \*Burchett.

**House Bill No. 3021** -- Paternity - Specifies that legitimization and paternity proceedings shall apply to child born as result of artificial insemination if, at the time of donation, donor of sperm knows woman to whom sperm is to be donated. Amends TCA Title 36, Chapter 2 and Title 68, Chapter 3. by \*Burchett.

**House Bill No. 3022** -- Criminal Offenses - Increases punishment for aggravated burglary from Class C to Class B felony if habitation occupied; increases punishment for especially aggravated burglary from Class B to Class A felony. Amends TCA Title 39, Chapter 14, Part 4. by \*Burchett.

**House Bill No. 3023** -- Polygraph - Prohibits polygraph examinations with respect to employment from inquiring into areas covered by the Americans with Disabilities Act; makes other administrative changes with respect to polygraph examiners. Amends TCA Title 62, Chapter 27. by \*Burchett.

**\*House Bill No. 3024** -- Banks and Financial Institutions - Grants commissioner power to establish criteria for involvement, including actual presence, of banks and other financial institutions in under-served communities; requires commissioner to appoint committee to study conditions and circumstances of community involvement. Amends TCA Title 45. by \*DeBerry J.

**House Bill No. 3025** -- Courts - Requires chief justice and president of clerks association to agree to any software changes for judicial information system before funds may be spent. Amends TCA Title 16, Chapter 3, Part 8. by \*Buck.

**\*House Bill No. 3026** -- Emergency Communications Districts - Authorizes county election commission to request and receive unpublished telephone numbers or addresses in possession of emergency communication district for purpose of compiling voter mailing list for county. Amends TCA Title 10, Chapter 7. by \*Buck.

**\*House Bill No. 3027** -- Building Commission, State - Provides that initial design approval by state architect or engineer required by building commission when cabins or similar structures being built by parks division of environment and conservation is sufficient for construction of similar structures at later date. Amends TCA Title 4, Chapter 15. by \*Buck.

**House Bill No. 3028** -- Victims Rights - Authorizes guardian of minor victim, legal representative of deceased victim and relative of victim to also file for travel expenses under victims compensation fund; expands criminal justice proceedings for which victim can claim travel expenses. Amends TCA Title 29, Chapter 13 and 40 and Chapter 38. by \*Buck.

**House Bill No. 3029** -- Tennessee Bureau of Investigation - Requires TBI to conduct state and federal criminal history fingerprint checks at request of investigative firms employed by private landlords who are subsidized by United States Housing Act of 1937, Section 8. Amends TCA Title 38, Chapter 6, Part 1. by \*Caldwell.

**House Bill No. 3030** -- Alcoholic Beverages - Reduces size and type of signs required to be posted by retail establishments warning that drinking alcoholic beverages during pregnancy can cause birth defects, to conform to size and type required by law warning of penalty to carry weapons where alcoholic beverages sold or served. Amends TCA Title 57, Chapter 1. by \*Arriola.

**\*House Bill No. 3031** -- Planning, Public - Authorizes certain municipalities in Shelby County to file 20 year annexation plan and request with department of economic and community development to have municipal planning commission designated regional planning commission over certain areas. Amends TCA Title 13, Chapter 3, Part 1 and Title 13, Chapter 7. by \*Pleasant, \*Hargett.

**\*House Bill No. 3032** -- Custody and Support - Prohibits parent whose custody rights have been revoked by court order from recovering proceeds in action for wrongful death of child. Amends TCA Section 20-5-106. by \*Hargett.

**House Bill No. 3033** -- Securities - Requires contract of sale of callable local government bonds and other evidences of indebtedness to indicate earliest time and price at which such instruments may be called, failure to do so constitutes unfair and deceptive practice under Consumer Protection Act. Amends TCA Title 9, Chapter 21. by \*Hargett.

**House Bill No. 3034** -- Education, Higher - Rewrites portions of BEST program. Amends TCA Sections 49-7-802, 49-7-805(16), 49-7-807, 49-7-809(d), 49-7-809(e) and 49-7-810(c). by \*Davidson.

**\*House Bill No. 3035** -- Bond Issues - Permits funding board to issue debt for discount and costs of issuance. Amends TCA Title 9, Chapter 9. by \*Kisber.

**House Bill No. 3036** -- Business and Commerce - Prohibits suppliers of farm machinery, construction, utility, industrial and other heavy equipment from terminating retail agreements with retailers without good cause; requires suppliers to repurchase franchise inventory when franchise is terminated. Amends TCA Title 47, Part 25, Part 13. by \*Phelan.

**House Bill No. 3037** -- Education - Identifies certain eligibility requirements for taking general educational development (GED) examination. Amends TCA Title 49, Chapter 6. by \*Brown, \*Brooks.

**House Bill No. 3038** -- Rutherford County - Subject to local approval, authorizes local purpose tax. Amends Chapter 215 of Private Acts of 1996. by \*Eckles, \*Hood, \*Beavers.

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**House Bill No. 3039** -- Memorials, Government Officials - Urges department of transportation to widen State Highway 13 from Linden to I-40. by \*Tidwell.

**House Bill No. 3040** -- Fees - Authorizes register in Dickson County to impose \$2.00 data processing fee for recording of each instrument. Amends TCA Section 8-21-1001. by \*Jackson.

**House Bill No. 3041** -- TennCare - Extends termination date of select oversight committee on TennCare from adjournment of 1997 session until adjournment of 2001 session. Amends TCA Title 3, Chapter 15, Part 5. by \*Jackson.

**House Bill No. 3042** -- Criminal Offenses - Creates Class D felony offense of child endangerment by drug transaction, defined as committing or fleeing from drug offense while accompanied by a child less than 13 years of age; enhances penalty to Class C felony if child injured; requires sentence to be served consecutive to drug offense sentence. Amends TCA Title 39, Chapter 17, Part 4. by \*McMillan.

**House Bill No. 3043** -- Victims Rights - Requires departments of correction and children's services to provide or contract to provide service notifying interested persons of certain information regarding convicted felons and juveniles adjudicated delinquent - Amends TCA Title 37, Chapter 5 and Title 41, Chapter 21. by \*McMillan.

**House Bill No. 3044** -- Public Records - Makes investigative personnel information, findings and related documents public records. Amends TCA Title 10, Chapter 7, Part 5. by \*Sands.

**House Bill No. 3045** -- Driver Licenses - Revises procedure for minor withdrawn from school to appeal revocation of driver license. Amends TCA Title 55, Chapter 50. by \*Sands, \*Haley, \*Pleasant, \*Hargett.

**House Bill No. 3046** -- Taxes - Requires standard exemption amount allowable for gifts to Class A donees to increase each year by same amount, if any, that federal annual exclusion amount for gifts increases. Amends TCA Title 67, Chapter 8, Parts 1, 3 and 4 and Section 67-8-104. by \*Maddox.

**House Bill No. 3047** -- Taxes, Sales - Exempts tangible personal property sold by 501(c)(3) exempt organizations for purpose of providing food packages at reduced price through host organizations (churches, etc.) to individuals who agree to provide community service. Amends TCA Section 67-6-329. by \*Maddox.

**House Bill No. 3048** -- Pensions and Retirement Benefits - Removes mandatory retirement age from police chiefs and other police officers if approved by municipality employing such personnel. Amends TCA Section 8-36-205. by \*Maddox.

**House Bill No. 3049** -- Pensions and Retirement Benefits - Clarifies that mandatory retirement ages for police officers and firefighters do not apply to such persons who are employed by local governments. Amends TCA Section 8-36-207. by \*Maddox.

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**House Bill No. 3050** -- Taxes - Exempts certain farm equipment used to clear timber from sales tax. Amends TCA Title 67, Chapter 6, Parts 1 and 2. by \*Rinks.

**House Bill No. 3051** -- Religion and Religious Organizations - Prohibits government from substantially burdening person's exercise and enjoyment of religious profession and worship. Amends TCA Title 4. by \*Burchett, \*DeBerry J, \*Wood, \*Halteman Harwell, \*Walker.

**House Bill No. 3052** -- Insurance Companies, Agents, Brokers - Revises qualified investments of domestic life insurance companies. Amends TCA Title 56, Chapters 1 and 3. by \*Sands.

**\*House Bill No. 3053** -- State Employees - Authorizes state employees to be accompanied by representative of choice at grievance procedures up to Level 4. Amends TCA Section 8-30-328. by \*Windle.

**House Bill No. 3054** -- District Attorneys - Allows service credit for prior experience as district public defender or assistant district public defender for purpose of determining appropriate compensation level of assistant district attorney general. Amends TCA Title 8, Chapter 7, Part 2. by \*Windle.

**House Bill No. 3055** -- Criminal Offenses - Prohibits pretrial diversion, deferral and probation for defendants charged with drug offenses. Amends TCA Title 40, Chapter 15 and Title 40, Chapter 35, Part 3. by \*Windle.

**House Bill No. 3056** -- Managed Care Organizations - Prohibits health insurers and managed care organizations from refusing to contract with physician due to disciplinary action occurring more than ten years ago. Amends TCA Title 56 and Title 63, Chapter 10. by \*Windle.

**\*House Bill No. 3057** -- Gas, Petroleum Products, Volatile Oils - Prohibits propane businesses from being within 200 feet of residence, school, church or other public gathering place. Amends TCA Title 68, Chapter 135. by \*Windle.

**\*House Bill No. 3058** -- Medical Occupations - Adds health care providers to hospital lien law. Amends TCA Title 29, Chapter 22. by \*Windle.

**\*House Bill No. 3059** -- Election Laws - Establishes minimum daily compensation for members of county election commissions in counties other than Hamilton, Knox and Shelby counties at \$65.00 instead of \$30.00. Amends TCA Section 2-12-108. by \*Windle.

**House Bill No. 3060** -- Campaigns - Limits labor organization contributions; allows employee to direct up to 3 percent of salary to organization. Amends TCA Title 2, Chapter 10. by \*Newton.

**\*House Bill No. 3061** -- County Officers - Requires county sheriff to set up rotating roster for towing and recovery vehicle operators; sets fine for violation. by \*Newton.

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**House Bill No. 3062** -- Contractors - Authorizes local governments to suspend contractors' licenses for repeated violations of local codes and ordinances. Amends TCA Title 6 and 7 and Title 62, Chapter 6. by \*Bowers.

**House Bill No. 3063** -- Environmental Preservation - Enacts "Pollution Prevention Act of 1998.", by \*Odom.

**House Bill No. 3064** -- Parks, Natural Areas Preservation - Requires department of environment and conservation to create long range master plan for funding, management and development of state parks; prohibits addition of any capital projects not provided for in master plan. Amends TCA Title 11, Chapter 3. by \*Odom.

**House Bill No. 3065** -- Housing - Revises powers of housing authorities to clear and do construction on blighted area in accord with redevelopment plan on its own or via third party. Amends TCA Section 13-20-202. by \*Garrett, \*Langster, \*Robinson, \*West, \*Boner, \*Halteman Harwell.

**\*House Bill No. 3066** -- Aircraft and Airports - Revises requirements for civil service plan if board of metropolitan airport authority adopts own civil service plan; empowers board to contract with secretary of state for administrative law judges or to other persons on a case-by-case basis. Amends TCA Section 42-4-110. by \*DeBerry J.

**House Bill No. 3067** -- Aged Persons - Enacts "Tennessee All Inclusive Care for the Elderly Act of 1998." Amends TCA Title 56, Chapter 32 and 7. by \*McAfee, \*Wood.

**\*House Bill No. 3068** -- Education - Continues pilot program in six counties based on Touching the Lives of Children Program; expands program to include additional six counties. Amends TCA Title 49. by \*Head.

**\*House Bill No. 3069** -- Sewage - Permits counties with contractual relationship with department for inspection of subsurface sewage disposal systems to authorize installation of experimental systems or alternate methods of disposal as replacements for failed conventional systems in existing structures. Amends TCA Title 68, Chapter 221. by \*Kerr.

**\*House Bill No. 3070** -- Utilities, Utility Districts - Enacts "Consolidation of County Utilities Services Act of 1998." Amends TCA Title 5; Title 6; Title 7 and Title 9. by \*Kerr.

**House Bill No. 3071** -- Eminent Domain - Establishes minimum amount to be paid when owner-occupied residential real property taken by eminent domain. Amends TCA Title 29, Chapter 16, Part 1. by \*Kerr.

**House Bill No. 3072** -- Sexual Offenses - Defines "private residence" as "public place" for purposes of offense of public indecency if within such residence person exposes his genitals in presence of child for purpose of sexual arousal or gratification. Amends TCA Section 39-13-511. by \*Kerr.

**\*House Bill No. 3073** -- Privacy, Confidentiality - Deletes requirement that before University of Tennessee research records may be made confidential, attorney general and reporter must approve confidential designation. Amends TCA Title 49, Chapter 7, Part 1. by \*Kerr.

**\*House Bill No. 3074** -- State Government - Enacts "Balance of Powers Restoration Act." by \*Boyer.

**\*House Bill No. 3075** -- Highway Signs - Pleasant View and Coopertown, I-24. by \*Davidson.

**House Bill No. 3076** -- Highways, Roads and Bridges - Requires certain deposits of persons moving certain large objects on roads of state; subjects them to penalties for blocking traffic or causing damage. Amends TCA Title 55, Chapter 7. by \*Kerr.

**House Bill No. 3077** -- Personnel, Dept. of - Requires commissioner to make annual reports to general assembly regarding number of full-time state employees and number of contract employees. Amends TCA Section 4-3-1703. by \*Kerr.

**House Bill No. 3078** -- Annexation - Requires, in cases of annexation by ordinance, that water lines and sanitary sewer lines must be extended throughout annexed territory within five years; provides that noncompliance will result in de-annexation of territory. Amends TCA Section 6-51-102. by \*Kerr.

**House Bill No. 3079** -- State Employees - Authorizes former state employee to rejoin state insurance group plan if employee left in good standing and pays all premiums plus 5 percent. Amends TCA Title 8, Chapter 27. by \*Kerr.

**House Bill No. 3080** -- Eminent Domain - Revises and reorganizes requirements for eminent domain. Amends TCA Section 5-7-101; Title 29, Chapter 17 and Title 29, Chapter 16. by \*Kerr.

**\*House Bill No. 3081** -- Aged Persons - Directs commissioner of health to expand home and community based care waiver; establishes program eligibility criteria. Amends TCA Title 71, Chapter 5. by \*Arriola.

**\*House Bill No. 3082** -- Drug and Alcohol Rehabilitation - Requires approval of a county legislative body before health facilities commission may consider certificate of need application for new methadone treatment facility. Amends TCA Title 68, Chapter 11. by \*Arriola, \*Westmoreland.

**\*House Bill No. 3083** -- Vital Statistics - Requires certain physicians and medical officers to examine X-rays and take other appropriate actions prior to certifying sudden infant death syndrome as cause of death. Amends TCA Section 68-3-502. by \*Bird, \*Newton, \*Kent.

**House Bill No. 3084** -- Real Property - Revises disclosure form in Tennessee Residential Property Disclosure Act. Amends TCA Section 66-5-210. by \*Rinks.

**WEDNESDAY, FEBRUARY 4, 1998 -- SIXTY-FIRST LEGISLATIVE DAY**

**\*House Bill No. 3085** -- Accountants - Enacts "Tennessee Accountancy Act of 1998." Amends TCA Title 62, Chapter 1. by \*Rinks.

**\*House Bill No. 3086** -- Fair Trade Laws - Removes wholesalers from Unfair Cigarette Sales Law Amends TCA Title 47, Chapter 25, Part 3amend TCA. by \*Rinks.

**House Bill No. 3087** -- Bonds and Undertakings, Regulation of - Requires underwriter or issuer of debt obligations by public entity to report, in advance, to such public entity estimated cost of issuance of such debt obligation. Amends TCA Section 9-21-151. by \*Kisber.

**House Bill No. 3088** -- Unemployment Compensation - Provides that failing certain drug or alcohol tests or refusing to take such tests constitutes misconduct; removes drug testing provision from unemployment eligibility standard. Amends TCA Title 50, Chapter 7. by \*Kisber.

**\*House Bill No. 3089** -- Taxes, Real Property - Provides minimum collection period for taxes due on delayed public utility assessments; expands use of hearing examiners in property tax matters. Amends TCA Section 67-5-1329 and Section 67-5-1505. by \*Kisber.

**House Bill No. 3090** -- Domestic Violence - Deletes provision removing jurisdiction of civil or criminal division of the Shelby County general sessions court from issuing orders for protection in domestic abuse cases after 8/31/98. Amends Chapter 96 of the Public Acts of 1997. by \*DeBerry J.

**House Bill No. 3091** -- Courts, General Sessions - Establishes process for selection of special judge to sit in absence of regular judge Amends TCA Section 16-15-209. by \*Chumney.

**\*House Bill No. 3092** -- Annexation - Increases, from seven to 14, number of days of notice for posting plan of services before annexation. Amends TCA Title 6, Chapter 51 and Title 67. by \*Chumney.

**\*House Bill No. 3093** -- Bond Issues - Validates disposition of proceeds of school capital outlay notes issued before 1/1/98; requires sharing of new school capital outlay notes. Amends TCA Title 9, Chapters 3 and 21. by \*Rhinehart.

**House Bill No. 3094** -- Alcoholic Beverages - Defines "beer" as malt product labeled as beer, ale, porter, stout or malt liquor; prohibits beer distributors from distributing any other alcoholic beverages. Amends TCA Section 57-3-101, 57-3-103, Section 57-5-101 and 57-6-104. by \*Rhinehart.

**\*House Bill No. 3095** -- County Officers - Exempts persons who have been working in capacity of both city judge and city recorder since 1984 from municipal clerk certification requirements. Amends TCA Section 6-54-120(b). by \*Ferguson.

**House Bill No. 3096** -- General Assembly - Revises time schedule that TennCare oversight committee must follow in reviewing legislation from four weeks after introduction to four weeks after receipt by committee. Amends TCA Section 3-15-508. by \*Bowers.

**House Bill No. 3097** -- Kenton - Revises charter of Kenton special school district. Amends Chapter 84 of the Public Acts of 1947, as amended. by \*Phelan.



**\*House Bill No. 3098** -- Credit Cards - Prohibits colleges from selling lists of students' names and addresses to credit card companies; prohibits on-campus recruitment; prohibits gifts to students signing up for credit cards. Amends TCA Title 47, Chapter 18 and Title 47, Chapter 22. by \*Arriola.

**House Bill No. 3099** -- Bail, Bail Bonds - Raises from \$1,000 to \$5,000 maximum amount of bail circuit or criminal court clerk can set when defendant charged with misdemeanor. Amends TCA Title 40, Chapter 11, Part 1. by \*Newton.

**House Bill No. 3100** -- Animals - Deletes authorized use of chloroform chambers for puppies and kittens; authorizes use of sodium pentobarbital or other injectable barbiturate; gives discretion to animal shelters to adopt, sell or dispose of certain animals instead of requiring destruction of animal. Amends TCA Title 39, Chapter 14, Part 2; Title 44, Chapter 17, Part 3 and Title 68, Chapter 8, Part 1. by \*Burchett.

**House Bill No. 3101** -- Bail, Bail Bonds - Requires person petitioning to become professional bondsman to attach affidavit containing copy of person's criminal history, if any, as maintained by local law enforcement agency. Amends TCA Title 40, Chapter 11, Part 3. by \*Boyer.

**House Bill No. 3102** -- Animals - Enacts "Tennessee Spay/Neuter Law." Amends TCA Title 44, Chapter 17. by \*Burchett.

**House Bill No. 3103** -- Animals - Allows dogs seized by animal control officers to be given away as alternative to being destroyed. Amends TCA Title 68, Chapter 8, Part 1. by \*Fowlkes.

**House Bill No. 3104** -- Bail, Bail Bonds - Requires defendant's surety be served with scire facias by certified mail at last known address when court orders that the defendant's bail bond is forfeited. Amends TCA Title 40, Chapter 11, Part 1. by \*Windle.

**House Bill No. 3105** -- Bail, Bail Bonds - Requires professional bondsman arrested for felony or Class A misdemeanor to notify and provide information concerning arrest to each court before which bondsman qualified to practice. Amends TCA Title 40, Chapter 11, Part 3. by \*Armstrong.

**House Bill No. 3106** -- Sexual Offenses - Enacts "Sexual Violent Persons Act of 1998." Amends TCA Title 10; Title 38; Title 39; Title 40 and Title 41. by \*Williams (Williamson).

**House Bill No. 3107** -- Constitutional Conventions - Proposes amendment to Article XI, Section 5, relative to lotteries. by \*Williams (Williamson).

**\*House Bill No. 3108** -- Education - Requires state-paid testing at second grade level. Amends TCA Title 49, Chapter 6, Part 60. by \*Williams (Williamson).

**House Bill No. 3109** -- Contractors - Requires contractor to deliver radon testing device to new home owner; gives contractor immunity for injury caused by indoor air pollutants. Amends TCA Title 62, Chapter 6. by \*Williams (Williamson).

**WEDNESDAY, FEBRUARY 4, 1998 -- SIXTY-FIRST LEGISLATIVE DAY**

**House Bill No. 3110** -- Consumer Protection - Requires flea market vendors to keep records of all purchases of items for later sale at flea market. Amends TCA Title 39, Chapter 14, Part 1. by \*Williams (Williamson).

**\*House Bill No. 3111** -- Interstate Compacts - Rewrites Chickasaw Trail economic development compact. Amends TCA Title 13, Chapter 2, Part 3. by \*Walley, \*Naifeh.

**House Bill No. 3112** -- Education - Enacts "Education Edge Bill of Rights.". by \*Halteman Harwell, \*Dunn, \*Newton, \*Patton, \*Hargett, \*Ritchie.

**House Bill No. 3113** -- Mental Illness - Creates office of mental illness advocate in office of attorney general and reporter. Amends TCA Title 33, Chapter 6, Part 1. by \*Armstrong, \*Jones U (Shelby), \*Cooper B, \*Brown, \*Miller L, \*Pruitt, \*DeBerry L, \*Langster, \*Turner (Shelby), \*Towns.

**House Bill No. 3114** -- Physicians and Surgeons - Provides for method of profiling physicians for consumers. Amends TCA Titles 56, 63, and 68. by \*Armstrong, \*Jones U (Shelby), \*Cooper B, \*Brown, \*Pruitt, \*DeBerry L, \*Langster, \*Miller L, \*Turner (Shelby), \*Towns.

**House Bill No. 3115** -- Housing - Removes conflict of interest provision that applies specifically to housing authorities; specifies that housing authority personnel subject to same conflict of interest provisions governing other public contracts. Amends TCA Title 13, Chapter 20. by \*Armstrong, \*Jones U (Shelby), \*Cooper B, \*Brown, \*Pruitt, \*DeBerry L, \*Langster, \*Turner (Shelby), \*Towns.

**\*House Bill No. 3116** -- Insurance, Health, Accident - Enacts "Health Care Consumer Right to Know and Right to Access Act of 1998." Amends TCA Title 56. by \*Odum.

**\*House Bill No. 3117** -- Hazardous Materials - Establishes new permitting system for transporters of hazardous wastes. Amends TCA Title 55; Title 68, Chapter 31 and Title 68, Chapter 212. by \*Odum.

**\*House Bill No. 3118** -- Liens - Establishes alternate means of providing constructive notice of liens and encumbrances on motor vehicles. Amends TCA Section 55-3-126. by \*Kisber.

**House Bill No. 3119** -- Criminal Procedure - Makes Uniform Criminal Extradition Act applicable to prisoners in this state who have been wrongfully or erroneously released from lawful custody and who may be found in another state. Amends TCA Title 40, Chapter 9. by \*Burchett.

**\*House Bill No. 3120** -- Teachers - Terminates tenure status after 30 years of service. Amends TCA Title 49, Chapter 5, Part 5. by \*Stamps.

**\*House Bill No. 3121** -- Custody and Support - Requires publication of names of nonsupporting parents in newspaper of general circulation in home county. Amends TCA Title 36, Chapter 5. by \*Stamps.

**\*House Bill No. 3122** -- Election Laws - Prohibits solicitation or acceptance of campaign contribution from PAC by member or candidate for general assembly. Amends TCA Title 2, Chapter 10. by \*Stamps.

**\*House Bill No. 3123** -- Education - Directs state board of education to set cost limit on administrative costs in local education. Amends TCA Title 49. by \*Stamps.

**\*House Bill No. 3124** -- Election Laws - Requires popular election of all appellate court judges; deletes current selection and evaluation procedures. Amends TCA Title 2, Chapter 8; Title 17, Chapter 4; 4-29-222 and 4-29-223. by \*Stamps.

**House Bill No. 3125** -- Tort Liability - Raises from \$10,000 to \$50,000 liability limit of parents and guardians for wrongful and tortious acts committed by minors in their custody; authorizes courts to require maximum of 200 hours of community service for minors who willfully cause personal injury or destroy property. Amends TCA Title 37, Chapter 10. by \*Stamps.

**House Bill No. 3126** -- Teachers - Excludes principals from bargaining unit under Professional Negotiations Act. Amends TCA Section 49-5-602. by \*Stamps.

**House Bill No. 3127** -- Education - Provides for subject matter tests in variety of specified high school courses to be administered at end of term in which course taken. Amends TCA Section 49-1-608. by \*Caldwell.

**House Bill No. 3128** -- Personal Property - Specifies that consideration for transaction given to spouse of person who actually conducts transaction and who is or will be insolvent is deemed to be fraudulent as to creditors. Amends TCA Title 66, Chapter 3. by \*Stamps.

**House Bill No. 3129** -- Education - Authorizes counties to elect school superintendents. Amends TCA Title 49, Chapter 2. by \*Stamps.

**\*House Bill No. 3130** -- Telecommunications - Prohibits use of telecommunications equipment which blocks number of caller from caller ID if purpose of call is to sell merchandise or services, or to conduct poll of person called. Amends TCA Title 47, Chapter 18, Part 15. by \*Burchett.

**House Bill No. 3131** -- Alcoholic Beverages - Redefines "premiere type tourist resort" to include "Riverwater Development". Amends TCA Section 57-4-102(17). by \*Kent.

**House Bill No. 3132** -- TennCare - Expands TennCare eligibility for children. Amends TCA Section 71-5-106. by \*Rhinehart, \*Jones, S., \*Eckles.

**House Bill No. 3133** -- Education, Higher - Creates new special mission university in Warren County. Amends TCA Title 49; Chapters 7, 8, and 9. by \*Curtiss, \*Rhinehart.

**House Bill No. 3134** -- Telecommunications - Authorizes telephone cooperatives to provide services in adjoining service area in certain circumstances. Amends TCA Title 65, Chapters 4, 5, and 29. by \*Curtiss.

**\*House Bill No. 3135** -- Managed Care Organizations - Requires non-TennCare health maintenance organizations to provide certain continuity of care and independent review entity for certain decisions by HMO. Amends TCA Title 56. by \*Rhinehart.

**House Bill No. 3136** -- Criminal Procedure - Establishes in TBI expunged criminal offender and pretrial diversion data base to allow judges and district attorneys general to determine if requesting defendant eligible for pre-trial diversion or post-plea judicial diversion Amends TCA Title 16, Chapter 3, Part 8; Title 38, Chapter 6; Title 40, Chapter 15; Title 40, Chapter 32 and Title 40, Chapter 35. by \*Jackson.

**House Bill No. 3137** -- TennCare - Requires TennCare to cover smoking cessation products. by \*Jackson.

**House Bill No. 3138** -- Insurance, Health, Accident - Requires coverage of smoking cessation programs by private insurance policies. Amends TCA Title 56. by \*Jackson.

**House Bill No. 3139** -- Taxes, Sales - Exempts electricity and natural gas used to generate heat for production of primary aluminum can sheet products when sold to or used by manufacturers. Amends TCA Section 67-6-206. by \*Rinks.

**\*House Bill No. 3140** -- Tennessee Housing Development Agency - Prohibits use of agency reserve funds for state general fund purposes. Amends TCA Title 13, Chapter 23. by \*Rinks, \*Williams (Williamson).

**\*House Bill No. 3141** -- Dentists - Establishes scope of practice for dentists and hygienists. Amends TCA Section 63-5-108 and Section 63-5-115. by \*Rinks, \*DeBerry J, \*Newton, \*Godsey, \*Eckles.

**\*House Bill No. 3142** -- Claims Commission, Tennessee - Revises duties and responsibilities relative to claimants and victims of crime. Amends TCA Title 9, Chapter 8, Part 3, and Sections 9-8-111, 9-8-402(a), 9-8-402(b), 9-8-403, 12-3-214(d), 12-4-109(a)(1)(B)(viii), 29-13-106(e), 29-13-108, and 29-13-109. by \*Hargrove.

**House Bill No. 3143** -- Insurance, Health, Accident - Permits an eyecare provider to join any health benefits plan as a provider of eyecare services if eyecare provider agrees to accept plan's terms and conditions. Amends TCA Title 56. by \*Hargrove.

**House Bill No. 3144** -- Attorneys at Law - Purports to lower continuing legal education reporting fees from \$1.25 per hour to \$0.75. Amends TCA Title 23, Chapter 1, Part 1. by \*Hargrove.

**\*House Bill No. 3145** -- Claims Commission, Tennessee - Increases from \$300,000 to \$500,000 state's maximum per claimant liability and from \$1,000,000 to \$1,500,000 state's maximum per occurrence liability for damages from tort actions arising on or after 7/1/98. Amends TCA Section 9-8-307. by \*Chumney.

**House Bill No. 3146** -- Animals - Enacts "Dangerous Dog Act." Amends TCA Title 44, Chapter 17. Repeals TCA Section 44-17-120. by \*West.

**House Bill No. 3147** -- Pardons and Paroles - Allows sex abuse treatment program for sexual offenders to be factor rather than requirement for parole. Amends TCA Section 41-21-235(b). by \*Ritchie.

**House Bill No. 3148** -- Sexual Offenses - Removes department of mental health and mental retardation from agencies responsible for development of sexual abuse treatment program for incarcerated sexual offenders. Amends TCA Section 41-21-235(a). by \*Ritchie.

**House Bill No. 3149** -- Sexual Offenses - Requires sexual offenders who are considered for probation or other alternative sentencing to submit to formal evaluation for identification and monitoring purposes. Amends TCA Section 39-13-705(a). by \*Ritchie.

**House Bill No. 3150** -- Insurance, Health, Accident - Requires coverage of complications resulting from mastectomies, including lymphedema, in health insurance coverage of breast reconstructive surgeries. Amends TCA Title 56, Chapter 7. by \*Ritchie, \*Ridgeway.

**House Bill No. 3151** -- Sentencing - Requires pre-sentence report to include defendant's criminal history and juvenile record; allows use of all defendant's delinquent acts as enhancement factor. Amends TCA Title 40, Chapter 35. by \*Sands, \*Buck, \*Jackson, \*McDonald.

**House Bill No. 3152** -- Criminal Offenses - Creates Class E felony offense of indecent exposure when defendant is age 18 or older, victim is under age 13 and defendant has two or more prior indecent exposure convictions. Amends TCA Title 39, Chapter 13. by \*Maddox, \*Hargrove, \*Jackson, \*Scroggs.

**House Bill No. 3153** -- Motor Vehicles - Rewrites motor vehicle habitual offender laws. Amends TCA Title 55, Chapter 10. by \*Hargrove, \*Buck, \*Scroggs.

**House Bill No. 3154** -- Criminal Offenses - Separates offense of aggravated child abuse and neglect into two separate offenses. Amends TCA Title 39, Chapter 13 and Title 39, Chapter 15. by \*Hood, \*Hargrove, \*McMillan, \*Jackson, \*Scroggs.

**House Bill No. 3155** -- Criminal Offenses - Increases criminal penalty for manufacture, sale, delivery and possession of controlled substances. Amends TCA Title 39, Chapter 17, Part 4. by \*Buck, \*Jackson, \*Scroggs.

**House Bill No. 3156** -- Criminal Offenses - Rewrites Class E felony classification for simple possession and casual exchange based on certain prior convictions. Amends TCA Section 39-17-418. by \*McMillan, \*Buck, \*Jackson, \*Scroggs.

**House Bill No. 3157** -- Criminal Offenses - Creates Class C felony offense of possession of firearm while committing felony; requires sentence to be served consecutively to sentence for underlying felony. Amends TCA Title 39, Chapter 17, Part 13. by \*Sands, \*Buck, \*McMillan, \*Scroggs, \*Jackson, \*McDonald.

**House Bill No. 3158** -- Evidence - Creates privilege to refuse to take witness stand in criminal proceeding if spouse is party. Amends TCA Title 24, Chapter 1. by \*McMillan, \*Buck, \*Scroggs, \*Jackson.

**House Bill No. 3159** -- Sentencing - Requires 85 percent of sentence to be served in aggravated robbery convictions. Amends TCA Title 40, Chapter 35. by \*McMillan, \*Buck, \*Jackson, \*McDonald.

**House Bill No. 3160** -- Criminal Offenses - Redefines "aggravated robbery to include robbery accomplished by threat or representation of use of deadly weapon. Amends TCA Title 39, Chapter 13. by \*Hargrove, \*Buck, \*Jackson, \*Scroggs, \*McDonald.

**House Bill No. 3161** -- Criminal Offenses - Redefines "crimes of aggravated kidnapping" and "especially aggravated kidnapping." Amends TCA Title 39, Chapter 13, Part 3. by \*DeBerry J, \*Hargrove, \*Jackson, \*Scroggs, \*McDonald.

**House Bill No. 3162** -- Criminal Procedure - Prohibits judge and attorneys from commenting to jury on possible penalties in all criminal cases except capital cases. Amends TCA Title 40, Chapter 35. by \*Sands, \*Scroggs, \*Jackson.

**House Bill No. 3163** -- Sentencing - Allows court to consider felony consideration in determining sentence range. Amends TCA Title 40, Chapter 35. by \*Hargrove, \*Buck, \*Jackson, \*Scroggs, \*McDonald.

**House Bill No. 3164** -- Criminal Procedure - Allows either state or defendant to introduce facts and circumstances of prior violent offense felony convictions used as basis of aggravating factor. Amends TCA Title 39, Chapter 13. by \*Sands, \*Buck, \*Scroggs, \*Jackson.

**House Bill No. 3165** -- Crime, Victims of - Requires court to permit and allow jury to consider testimony from victim's family at sentencing hearing for first degree murder. Amends TCA Title 39, Chapter 13. by \*McMillan, \*Buck, \*Scroggs, \*Jackson, \*McDonald.

**House Bill No. 3166** -- Taxes, Litigation - Establishes new litigation tax of \$1.00 in criminal cases to fund Victims of Crime Assistance Fund. Amends TCA Title 67, Chapter 4, Part 6. by \*McMillan, \*Jackson, \*McDonald.

**House Bill No. 3167** -- Sentencing - Allows district attorney general to appeal defendant's sentence on basis of court's failure to order fines or restitution to be paid. Amends TCA Title 40, Chapter 35. by \*Fitzhugh, \*Buck, \*Scroggs, \*Jackson, \*McDonald.

**House Bill No. 3168** -- Criminal Offenses - Allows districts attorney general to prosecute under different statutes unless prohibited specifically by same conduct statute. Amends TCA Title 39, Chapter 11. by \*Hargrove, \*Buck, \*McMillan, \*Scroggs, \*Jackson.

**House Bill No. 3169** -- District Attorneys - Rewrites duties of district attorneys general and other requirements controlling prosecution of county officials for violations of statutory duties. Amends TCA Title 2; Title 3; Title 4; Title 5; Title 8; Title 9; Title 11; Title 13 and Title 18. by \*Hargrove, \*Scroggs, \*Jackson.

**\*House Bill No. 3170** -- Education - Revises community education programs. Amends TCA Title 49, Chapter 50, Part 2. by \*Cooper B, \*Langster.

**\*House Bill No. 3171** -- Children - Establishes pilot project in Shelby County to allow at-risk children to attend martial arts programs; requires report on effectiveness of pilot project to be made by department of human services. by \*Cooper B.

**House Bill No. 3172** -- Zoning - Allows certain non-conforming uses by certain property owners. Amends TCA Section 13-7-111. by \*Whitson.

**House Bill No. 3173** -- Henry County - Subject to local approval, removes requirement for centralized accounting and budgeting office. Amends Chapter 137 of the Private Acts of 1983. by \*Ridgeway.

**House Bill No. 3174** -- Insurance Companies, Agents, Brokers - Requires commissioner to maintain confidentiality of name of person reporting violation which is ground for suspension of license of insurance agent or limited insurance representative until commissioner's investigation complete. Amends TCA Section 56-6-155. by \*Scroggs.

**House Bill No. 3175** -- Planning, Public - Redefines "blighted property" for redevelopment purposes to also mean displaced, vacant industrial properties and facilities. Amends TCA Title 13, Chapter 20 and Title 13, Chapter 21. by \*Bowers, \*DeBerry L.

**House Bill No. 3176** -- Opticians - Prohibits members of board of dispensing opticians from serving more than three consecutive terms, instead of three terms total; raises per diem compensation for members' expenses from \$50.00 to \$100 Amends TCA Title 63, Chapter 14. by \*Hassell.

**House Bill No. 3177** -- Insurance, Health, Accident - Requires health insurance to phase-in coverage of mental health services at same rates and terms as that provided for all other medical and surgical conditions; coverage to be phased in at 50 percent by 7/1/99; 75 percent by 7/1/2000 and to be equal by 7/1/2001. Amends TCA Title 56, Chapter 7. by \*Walley, \*Turner (Hamilton), \*DeBerry J, \*Hargett, \*Fitzhugh, \*Arriola, \*Towns, \*Caldwell, \*Pruitt, \*Lewis, \*Tindell, \*Cole (Dyer), \*Bowers, \*Ferguson, \*Williams (Williamson).

**\*House Bill No. 3178** -- Taxes - Requires 2/3 majority of both houses for increase in statewide tax. Amends TCA Title 3, Chapter 2, Part 1. by \*Mumpower.

**House Bill No. 3179** -- Election Laws - Permits candidate to file nominating petitions for more than one state office. Amends TCA Title 2, Chapter 5. by \*Williams (Williamson).

**House Bill No. 3180** -- Wills - Deletes requirement that persons administering estate notify all persons who would have been entitled to inherit from such estate if will had not been executed. Amends TCA Section 30-1-117. by \*Newton.

**House Bill No. 3181** -- Physicians and Surgeons - Restricts rights of certain physicians to practice medicine in certain areas after discharge by certain university faculty practice plans. Amends TCA Title 63, Chapter 6, Part 2. by \*Patton.

**\*House Bill No. 3182** -- Bad Checks - Includes deferred presentment licensee in worthless check criminal offense when more than two checks exceed \$500 and are outstanding. Amends TCA Title 45, Chapter 17, Part 1. by \*Patton.

## INTRODUCTION OF BILLS

Rep. Hargrove moved that House Bill(s) No(s). 3183-3366, and any other bills filed by the close of business today, be properly introduced.

**House Bill No. 3183** -- Highway Signs - Makes possession of highway signs by unauthorized person Class B misdemeanor, punishable only by fine of \$500; allots fines to county highway department of county from which sign was taken. Amends TCA Title 54, Chapter 10, Part 1. by \*McDonald, \*Fowlkes, \*Robinson.

**House Bill No. 3184** -- Criminal Offenses - Creates offense of cruelty to non-livestock animals; provides for basic care and humane treatment of such animals. Amends TCA Title 39, Chapter 14, Part 2. by \*Givens.

**House Bill No. 3185** -- Environmental Preservation - Establishes state regulation of concentrated animal feeding operations and utilization of flush system animal waste wet handling facilities. Amends TCA Title 68. by \*Givens.

**\*House Bill No. 3186** -- Taxes, Inheritance Gift - Increases inheritance tax exemption by \$25,000 per year from \$600,000 in 1998 to \$1,000,000 in 2014. Amends TCA Title 67, Chapter 8, Part 3. by \*Givens.

**\*House Bill No. 3187** -- Public Property - Allows state, city or county officers or employees to purchase confiscated property at public auction unless directly or indirectly involved in confiscation; allows similar purchases of county property at public auction by county officers and employees, and purchases of municipal property by municipal officers and employees. Amends TCA Title 5, Chapter 1, Part 1; Title 6, Chapter 54, Part 1 and Title 12, Chapter 2. by \*Givens.

**House Bill No. 3188** -- Penal and Reformatory Institutions - Clarifies that provisions requiring notification of certain officials upon escape of inmate includes any escape from a prison or facility operated by private prison contractor. Amends TCA Title 41. by \*McMillan.

**House Bill No. 3189** -- Public Records - Makes records and other documents concerning Tennessee inmate being housed in facility operated by private prison contractor public records to same extent they would be public if inmate housed in department of correction facility. Amends TCA Title 10, Chapter 7 and Title 41. by \*McMillan.

**\*House Bill No. 3190** -- Local Government, General - Revises emergency communications district law. Amends TCA Title 4, Chapter 29 and Title 7, Chapter 86. by \*McMillan.

**\*House Bill No. 3191** -- Courts, General Sessions - Permits county legislative body to appoint temporary successor until interim suspension is lifted or office becomes vacant. Amends TCA Section 16-15-210. by \*McMillan.

**House Bill No. 3192** -- Taxes, Sales - Caps municipalities' share of state sales tax proceeds on 6/30/98; allocates one half of growth to cities and other one half of growth to counties for education. Amends TCA Section 67-6-103. by \*Curtiss.



**House Bill No. 3193** -- Education - Authorizes school principal to suspend student convicted of or adjudicated delinquent for violent felony offense if student's presence at school would cause threat or danger to student, other students, faculty or staff. Amends TCA Title 49, Chapter 6, Part 34. by \*Beavers, \*Fowlkes.

**\*House Bill No. 3194** -- Drug and Alcohol Rehabilitation - Provides for legislative oversight committee on alcohol and substance abuse services; sets certain standards concerning alcohol and drug abuse treatment in TennCare; makes certain revisions concerning alcohol and drug abuse services funding. Amends TCA Title 3; Title 8; Title 33; Title 56; Title 68 and Title 71. by \*West, \*Fowlkes, \*Beavers.

**\*House Bill No. 3195** -- Real Estate Agents and Brokers - Defines and delineates powers and responsibilities of real estate "sponsoring brokers." Amends TCA Title 45, Chapter 13. by \*Fitzhugh.

**House Bill No. 3196** -- Game and Fish Laws - Requires TWRA to issue full-color waterfowl stamps as validation for resident waterfowl supplemental hunting licenses. Amends TCA Title 70, Chapter 2. by \*Fitzhugh.

**\*House Bill No. 3197** -- Highway Signs - "George Faulkenberry Memorial Bridge," Buchanan Creek, U.S. 64. by \*Fowlkes.

**\*House Bill No. 3198** -- Sexual Offenses - Defines "private residence" as "public place" for purposes of offense of public indecency if within such residence person exposes genitals in presence of child for purpose of sexual arousal or gratification; deletes reverse severability clause from original public indecency act. Amends TCA Section 39-13-511 and Chapter 542 of the Public Acts of 1994. by \*Kerr.

**House Bill No. 3199** -- Environmental Preservation - Creates Tennessee land investment program. by \*Odom.

**\*House Bill No. 3200** -- Hospitals and Health Care Facilities - Accelerates licensure procedures for assisted living facilities for elderly. Amends TCA Title 68. by \*Odom.

**House Bill No. 3201** -- Parks, Natural Areas Preservation - Enacts "The State Park Fund Act of 1998." Amends TCA Title 11, Chapter 3 and Title 55, Chapter 4, Part 1. by \*Odom.

**House Bill No. 3202** -- Taxes, Sales - Repeals 1/2 cent of state sales tax if Sanders model of education value added assessment not properly implemented; allows citizen to challenge propriety of implementation and repeal tax. by \*Head.

**House Bill No. 3203** -- Criminal Offenses - Redefines "lewdness" to include indecent exposure. Amends TCA Section 29-3-101. by \*Dunn, \*Burchett, \*Bone.

**House Bill No. 3204** -- Taxes, Sales - Permits county to authorize local option sales tax of 0.25 percent for education by resolution of county legislative body. Amends TCA Title 67, Chapter 6, Part 7. by \*Tindell, \*Curtiss.

**\*House Bill No. 3205** -- County Officers - Authorizes register of deeds of Smith County to collect \$2.00 data processing fee for purchase and maintenance of computers and supplies upon adoption of resolution by 2/3 vote of county legislative body. Amends TCA Section 8-21-1001. by \*Buck.

**House Bill No. 3206** -- Arrests - Requires bounty hunters to notify local chief enforcement officer of proposed taking into custody of person; requires eight hours of annual training. Amends TCA Title 40, Chapter 11. by \*Towns, \*Cooper B, \*Bowers, \*Pleasant, \*Miller L, \*Jones U (Shelby), \*Brooks, \*Brown.

**House Bill No. 3207** -- Employees, Employers - Authorizes department of labor to enforce federal minimum wage laws; classifies each violation of wage law separate Class A misdemeanor. Amends TCA Title 50, Chapter 2, Part 1. by \*Towns, \*Cooper B, \*Bowers, \*Miller L, \*Jones U (Shelby), \*Brooks, \*Brown.

**House Bill No. 3208** -- Education, Higher - Requires legislative confirmation of all appointed members of the THEC, Tennessee board of regents and University of Tennessee board of trustees. Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9. by \*Towns, \*Cooper B, \*Bowers, \*Jones U (Shelby), \*Brooks, \*Brown.

**House Bill No. 3209** -- Taxes, Sales - Exempts use of utilities by or sold to contractor or subcontractor when used in connection with testing of article in propulsion and aerospace flight dynamics test facility owned or operated by United States or agency thereof. Amends TCA Section 67-6-209. by \*Lewis.

**House Bill No. 3210** -- Coffee County - Subject to local approval, increases size of highway commission from five to six members; replaces county judge with county executive as ex-officio member of commission; establishes new districts for commission members. Amends Chapter 8 of the Private Acts of 1971, as amended. by \*Lewis.

**\*House Bill No. 3211** -- Tennessee Wildlife Resources Agency - Provides that proceeds generated from lands in Campbell and Scott Counties from the Royal Blue Wildlife Management Area be used by TWRA to manage and maintain such area. Amends TCA Title 11, Chapter 14, Part 3. by \*Cross.

**House Bill No. 3212** -- Tennessee Wildlife Resources Agency - Authorizes TWRA to promulgate rules and regulations establishing fees and guidelines for sport firing ranges and to contract for operation and maintenance of such facilities; requires fees to be deposited in wildlife resources fund. Amends TCA Title 70, Chapter 2, Part 2. by \*Cross.

**House Bill No. 3213** -- Tennessee Wildlife Resources Agency - Authorizes director to make expenditures from wetland acquisition fund to purchase "three sisters tract"/"Cameron, Trash and Orr tract" in Blount and Sevier counties. Amends TCA Section 11-14-401. by \*Cross.

**House Bill No. 3214** -- Municipal Government - Authorizes municipal electric distributors to provide through six pilot projects, cable television and Internet access services. Amends TCA Title 7, Chapters 52 and 59 and Title 65, Chapter 25. by \*Cross.

**House Bill No. 3215** -- Privacy, Confidentiality - Permits disclosure of identifying information of patient with written consent of patient in addition to presently authorized releases. Amends TCA Title 63 and Title 68, Chapter 11. by \*Eckles.

**\*House Bill No. 3216** -- Mental Illness - Revises law concerning delivery of mental health services. Amends TCA Title 33. by \*Eckles.

**House Bill No. 3217** -- Alcoholic Beverages - Redefines "convention center" in relation to premises where certain alcoholic beverages can be consumed. Amends TCA Section 57-4-102(10)(A). by \*Halteman Harwell, \*West, \*Jones, S., \*Langster, \*Arriola, \*Boner, \*Robinson, \*Odom.

**House Bill No. 3218** -- Insurance, Health, Accident - Permits eye care provider to join any health benefits plan as provider of eye care services if provider agrees to accept plan's terms and conditions; permits patients to choose credentialed eye care provider independent of and without referral from any other provider or entity. Amends TCA Title 56. by \*Hargrove.

**\*House Bill No. 3219** -- Motor Vehicles, Titling and Registration - Delays issuance of new registration plates from 1/1/2000 to 1/1/2001. Amends TCA Title 55, Chapter 4, Part 1. by \*Hargrove.

**House Bill No. 3220** -- Local Education Agency - Prohibits local boards of education from paying dues or other payments from tax funds to organizations organized or operated as advocacy group for school boards or members. Amends TCA Section 49-2-203. by \*Winningham.

**\*House Bill No. 3221** -- Pensions and Retirement Benefits - Increases teacher's maximum retirement benefit from 48 percent of average final compensation to 60 percent. Amends TCA Section 8-36-206. by \*Winningham.

**\*House Bill No. 3222** -- Courts, General Sessions - Gives general sessions court judge authority to suspend costs and litigation taxes for indigent criminal defendant. by \*Stulce.

**\*House Bill No. 3223** -- Fair Trade Laws - Enacts "Unfair Retailer's Cigarette Sales Law". Amends TCA Title 47, Chapter 25, Part 3. by \*Rinks.

**House Bill No. 3224** -- DUI/DWI Offenses - Makes fourth offense of DUI Class E felony; authorizes taking blood at scene of accident with personal injury or death if probable cause to suspect DUI; makes results of blood test admissible in court. Amends TCA Title 55, Chapter 10, Part 4. by \*Kent, \*Head, \*Whitson, \*Cole (Dyer), \*Armstrong, \*Naifeh, \*Cole (Carter), \*Rhinehart, \*Kisber, \*Chumney, \*Rinks, \*Godsey, \*Stulce, \*Roach, \*Walley, \*DeBerry J, \*Haley, \*Bittle, \*Maddox, \*Pinion, \*Ford S, \*Curtiss, \*White, \*Lewis, \*Fitzhugh, \*Cross, \*Givens, \*Mumpower, \*Ferguson, \*Gunnels, \*Halteman Harwell, \*Stamps, \*Tindell, \*Walker, \*DeBerry L, \*Beavers, \*Bird, \*Hassell, \*Burchett, \*Ritchie, \*Sharp, \*Hood, \*West, \*McDaniel, \*Eckles, \*Jones U (Shelby), \*Fraleigh, \*Hicks, \*Caldwell, \*Sargent, \*Garrett, \*Langster, \*McDonald, \*Hargett, \*McKee, \*Phelan, \*Dunn, \*Kerr, \*Pleasant, \*McAfee, \*Wood, \*Davis R, \*Buck.

**House Bill No. 3225** -- Teachers - Requires teachers to pass eighth grade proficiency test at 70 percent or higher score to retain certification. Amends TCA Title 49, Chapter 5. by \*Wood.

**House Bill No. 3226** -- Taxes, Sales - Exempts materials sold to fire protection sprinkler contractor that are used in out-of-state contracts from sales and use tax. Amends TCA Title 67, Chapter 6, Part 3. by \*Kent.

**\*House Bill No. 3227** -- Civil Procedure - Prohibits expenditure of public funds to change name of person in custody and care of department of correction. Amends TCA Title 29, Chapter 8. by \*Kent.

**House Bill No. 3228** -- Economic and Community Development - Authorizes \$250,000 per year on recurring basis for minority business enterprise development centers. Amends TCA Title 4, Chapter 26. by \*DeBerry L, \*Bowers.

**House Bill No. 3229** -- Education - Enacts "21st Century Neighborhood Schools Act." Amends TCA Title 49. by \*DeBerry L, \*Bowers.

**House Bill No. 3230** -- TennCare - Requires TennCare managed care organizations to remain open for new enrollment unless either the department of health or the department of commerce and insurance determines that remaining open threatens the well-being of TennCare enrollees. Amends TCA Title 71, Chapter 5, Part 1. by \*DeBerry L, \*Bowers.

**House Bill No. 3231** -- Economic and Community Development - Authorizes \$98,000 per year for management and technical assistance to disadvantaged businesses through Tennessee Valley center for minority economic development. Amends TCA Title 4, Chapter 26. by \*DeBerry L, \*Bowers.

**House Bill No. 3232** -- Development Districts - Expands powers of housing authority; authorizes community development agencies to act as housing districts. Amends TCA Title 13, Chapter 20, Part 2. by \*DeBerry L, \*Bowers.

**\*House Bill No. 3233** -- Criminal Offenses - Enacts "Anti-Gang and Street Terrorism Act of 1998." Amends TCA Title 39, Chapter 11; Title 39, Chapter 12; Section 39-13-204 and Title 40, Chapter 35. by \*DeBerry L.

**House Bill No. 3234** -- Criminal Offenses - Enacts "Anti-Gang and Street Terrorism Act of 1998." Amends TCA Title 39, Chapter 11; Title 39, Chapter 12; Section 39-13-204 and Title 40, Chapter 35. by \*DeBerry L, \*Kent, \*DeBerry J, \*Pleasant, \*Hargett, \*Haley, \*Burchett, \*Huskey, \*Scroggs, \*Miller L, \*Armstrong.

**\*House Bill No. 3235** -- Real Estate Agents and Brokers - Exempts services of vacation lodging management businesses from real estate licensure provisions. Amends TCA Section 62-13-104. by \*Huskey, \*Rhinehart.

**House Bill No. 3236** -- Taxes, Sales - Enacts "Convention Center and Tourism Development Financing Act of 1998." Amends TCA Title 7 and Title 67, Chapter 6. by \*Armstrong, \*Ritchie, \*Burchett, \*Tindell, \*Dunn, \*Bittle.

**House Bill No. 3237** -- Women - Creates economic council for women. by \*Turner (Hamilton), \*McMillan, \*Brooks, \*Bowers, \*Langster, \*Beavers, \*Pruitt, \*Brown, \*Jones, S., \*Eckles, \*Halteman Harwell, \*Cooper B, \*Hassell, \*Chumney, \*Hargrove, \*DeBerry L, \*Naifeh, \*Armstrong, \*Rinks, \*Arriola, \*Williams (Williamson), \*Davis R, \*Walley, \*Head, \*McDaniel.

**House Bill No. 3238** -- Trade Regulation - Makes it a Class C misdemeanor for soft drink bottler or manufacturer to sell or offer to sell quantity of soft drinks at specified price to retail merchant unless same quantity of soft drinks is offered at same price to all willing retail merchants. Amends TCA Title 47, Chapter 25. by \*Givens.

**\*House Bill No. 3239** -- State Employees - Authorizes spouses and dependent children of state employees and retired state employees to continue state group insurance after death of state employee or retired state employee by paying employee share of the premium. Amends TCA Title 8, Chapter 27. by \*Hargrove, \*Naifeh.

**\*House Bill No. 3240** -- Local Government, General - Requires cities and counties to design new construction and renovation of school facilities in manner which will facilitate before and after school care programs and child care programs. Amends TCA Title 49. by \*Hargrove, \*Naifeh.

**\*House Bill No. 3241** -- Election Laws - Reduces campaign and lobbying restrictions placed on member of registry of election finance after leaving position. Amends TCA Section 2-10-203(j). by \*Kisber.

**\*House Bill No. 3242** -- DUI/DWI Offenses - Provides that date of violation rather than date of conviction is used to determine if DUIs occur more than ten years apart for purpose of determining if offender is or is not multiple offender for purposes of enhanced punishment. Amends TCA Title 39, Chapter 13, Part 1; Title 39, Chapter 13, Part 2 and Title 55, Chapter 10, Part 4. by \*Head.

**\*House Bill No. 3243** -- Mental Health and Mental Retardation, Dept. of - Requires department to make certain payments to the Moccasin Bend Mental Health Institute and other RMHIs in order for facilities to retain accreditation. Amends TCA Title 33 and Title 71. by \*Stulce.

**House Bill No. 3244** -- Insurance, Health, Accident - Redefines "emergency medical condition" for health insurance policies to provide that determination of such condition shall be made using standard of prudent layperson who possesses average knowledge of health and medicine. Amends TCA Section 56-7-2355. by \*Jackson, \*Eckles, \*Jones, S..

**House Bill No. 3245** -- Taxes - Exempts partnership from income taxation on stocks if 100 percent of partnership owned directly by two or more corporations. Amends TCA Title 67, Chapter 2, Part 1. by \*West, \*Kisber.

**House Bill No. 3246** -- DUI/DWI Offenses - Requires court to expunge first conviction of person with only one DUI that occurred before age 25, no property damage or personal injury was involved, five years have elapsed and the person has had no subsequent DUI convictions. Amends TCA Title 55, Chapter 10, Part 4. by \*Jones U (Shelby).

**House Bill No. 3247** -- Taxes, Sales - Deletes requirement of 2/3 county commission vote on eliminating Shelby County trustee's commission on receiving and distributing local option sales tax. Amends TCA Section 67-6-712. by \*Jones U (Shelby), \*Towns, \*Brooks, \*Brown.

**House Bill No. 3248** -- Libraries - Requires, for public library which is joint operation, legislative body of county or city that provides funding for operational costs, exclusive of funding for capital costs, to appoint library board of seven members. Amends TCA Section 10-3-103. by \*Jones U (Shelby), \*Towns, \*Brown.

**House Bill No. 3249** -- County Officers - Requires sheriff to provide same level of patrolling or enforcement of law in all municipalities in county if provides such services in some municipalities in county notwithstanding fact that municipality has police department; authorizes municipalities to specifically waive service by adoption of ordinance. Amends TCA Title 8, Chapter 8. by \*Jones U (Shelby), \*Cooper B, \*Brown, \*Armstrong, \*Towns, \*Brooks.

**\*House Bill No. 3250** -- Education, Dept. of - Creates division of dropout prevention; provides for transfer and consolidation of certain resources within such new division. Amends TCA Title 49, Chapter 1, Part 2 and Title 49, Chapter 1, Part 5. by \*Jones U (Shelby), \*Cooper B, \*Brown, \*Armstrong, \*Towns, \*Brooks, \*Langster.

**\*House Bill No. 3251** -- Education - Creates office of dropout prevention within department of education to implement and operate model dropout prevention program; requires commissioner to hire full-time personnel to staff office. Amends TCA Section 49-1-520. by \*Jones U (Shelby), \*Cooper B, \*Brown, \*Armstrong, \*Towns, \*Brooks, \*Langster.

**House Bill No. 3252** -- Annexation - Creates annexation plan of service review commission. Amends TCA Title 6, Chapter 5 and Title 6, Chapter 5. by \*Jones U (Shelby).

**House Bill No. 3253** -- Alcoholic Beverages - Allows service of alcoholic beverage at race meetings. Amends TCA Title 4, Chapter 36 and Title 57, Chapter 4. by \*Jones U (Shelby).

**House Bill No. 3254** -- Tort Liability - Increases minimum limits of liability insurance coverage local governmental entity must carry to pay for damages awarded in tort actions if such entity elects to purchase such insurance. Amends TCA Title 29, Chapter 20. by \*Jones U (Shelby).

**House Bill No. 3255** -- Municipal Government - Allows city to delegate power to health education and housing facility corporation to contract with lessees for payment in lieu of taxes. Amends TCA Section 48-101-312. by \*Jones U (Shelby), \*Cooper B, \*Brown, \*Armstrong, \*Towns, \*Brooks.

**\*House Bill No. 3256** -- Correctional Programs - Clarifies prisoners sentenced to county workhouse can be utilized for work programs inside city limits. Amends TCA Title 41, Chapter 2. by \*Jones U (Shelby), \*Towns, \*Brown, \*Langster.

**House Bill No. 3257** -- Education, Higher - Increases number of minority teaching fellow positions from 106 to 116; increases maximum number per year from 29 to 35. Amends TCA Section 49-4-706. by \*Jones U (Shelby), \*Langster.

**House Bill No. 3258** -- Equalization Board - Revises membership of state board of equalization to include member who represents taxpayers in contested cases. Amends TCA Title 4. by \*Jones U (Shelby).

**House Bill No. 3259** -- Economic and Community Development - Reduces minimum poverty level to qualify for enterprise zone designation from 20 to 15 percent. Amends TCA Title 13, Chapter 28. by \*Jones U (Shelby), \*Pruitt, \*Langster.

**\*House Bill No. 3260** -- Tort Liability - Provides certain immunity from liability for donations of drugs and medical supplies; enacts "Good Samaritan Drug and Medical Supply Donation Act." Amends TCA Title 29, Chapter 34 and Title 53. by \*Bowers.

**\*House Bill No. 3261** -- Economic and Community Development - Enacts "Uniform Community Development District Act of 1998." Amends TCA Title 7. by \*Sands.

**House Bill No. 3262** -- Local Education Agency - Requires local education agencies to use a certain portion of BEP funding for certain specified purposes. Amends TCA Section 8-27-303. by \*Hood.

**House Bill No. 3263** -- Health - Authorizes only practitioners of the healing arts to practice hypnotherapy. Amends TCA Title 63. by \*Hood, \*Fraleigh, \*Dunn.

**House Bill No. 3264** -- Pensions and Retirement Benefits - Provides that retirement benefit for state employees and teachers retiring with at least 30 years of creditable service shall be at least federal individual poverty income amount. Amends TCA Section 8-36-209. by \*Hood, \*Fraleigh, \*Boner, \*Eckles.

**House Bill No. 3265** -- Memorials, Government Officials - Directs chancellor of state university and community college system to erect plaque on MTSU campus honoring James McGill Buchanan, MTSU graduate and Nobel laureate in economics; MTSU Foundation to bear cost of such marker. by \*Hood, \*Eckles, \*Beavers, \*Sands, \*Fraleigh, \*Boner, \*Lewis, \*Fowlkes.

**House Bill No. 3266** -- Insurance, Health, Accident - Allows local school board members to be included in local education group insurance program. Amends TCA Section 8-27-303. by \*Bone.

**House Bill No. 3267** -- Solid Waste Disposal - Provides for collection of surcharge fee on solid waste to be collected at transfer station rather than solid waste disposal facility or incinerator unless otherwise provided by contract between transfer station or facility or incinerator, only one surcharge for same solid waste. Amends TCA Section 68-211-835(d). by \*Bone.

**House Bill No. 3268** -- Gambling - Allocates net proceeds of state lottery's revenues to scholarship fund to pay Tennessee residents' tuition costs for post-secondary education and to grant program to pay fees necessary for Tennessee residents to attend Tennessee technology centers. Amends TCA Title 39 and Title 49. by \*Bone.

**House Bill No. 3269** -- Nurses, Nursing - Expands powers and duties of board concerning investigative and disciplinary process and to issue advisory private letter rulings for certain purposes. Amends TCA Section 63-7-115 and Section 63-7-207. by \*Kernell.

**\*House Bill No. 3270** -- Administrative Procedure - Authorizes government operations committees to extend for one year governmental entities which are due to terminate June 30 of year of proposed extension. Amends TCA Section 4-29-104. by \*Kernell.

**\*House Bill No. 3271** -- Boards and Commissions - Requires state regulatory boards and health related boards or committees to record meetings and make such recordings available to the public upon request. Amends TCA Title 4, Title 62 and Title 63. by \*Kernell.

**\*House Bill No. 3272** -- Campaigns - Allows candidates for state or local public office in judicial districts with population greater than 200,000 to contribute personal funds up to \$60,000 to campaign. Amends TCA Title 2, Chapter 10, Part 3. by \*Kernell.

**\*House Bill No. 3273** -- Racing - Creates the West Tennessee racing commission. Amends TCA Title 4, Chapter 36. by \*Kernell.

**House Bill No. 3274** -- Board of Regents - Renames "Middle Tennessee State University" to be "University of Middle Tennessee." Amends TCA Title 49, Chapters 7 and 8. by \*Hood, \*Eckles, \*Williams (Williamson), \*Sands, \*Fowlkes, \*Fraleigh, \*Stamps, \*Boner, \*Bone, \*Curtiss, \*Rhinehart, \*Beavers, \*Robinson.

**House Bill No. 3275** -- Insurance Companies, Agents, Brokers - Requires insurance companies to inform insureds when services are charged to their accounts and to give complete and understandable record of all activity in insured's account when requested to do so by insured. Amends TCA Title 56. by \*DeBerry J.

**House Bill No. 3276** -- Public Buildings - Authorizes municipality to agree to indemnify public building authority, its directors, officers and employees, for negligence. Amends TCA Section 12-10-114. by \*Burchett.

**\*House Bill No. 3277** -- Tort Liability - Increases governmental tort liability limit for electric utilities (for non-electrical activity) to statutory amount plus consumer price index increase amount. Amends TCA Title 29, Chapter 20. by \*Williams (Williamson).

**House Bill No. 3278** -- Railroads - Increases from six months to one year time when railroad company must install automatic warning or protective devices at certain crossings. Amends TCA Title 65, Chapter 11, Part 1. by \*Robinson, \*Buck.

**House Bill No. 3279** -- Railroads - Specifies that inspection, control and supervision fees derived from railroads be used by department of transportation solely for railroad related programs. Amends TCA Title 65, Chapter 3, Part 2. by \*McDonald.

**House Bill No. 3280** -- Insurance Companies, Agents, Brokers - Authorizes limited insurance representative license without examination to person meeting requirements for licensure, to include travel or auto related coverages offered by rental company for rental of vehicles. Amends TCA Section 56-6-138. by \*McKee.

**\*House Bill No. 3281** -- Nurses, Nursing - Authorizes board to issue license to licensed practical nurse when in opinion of board applicant has attained sufficient experience in field of health care. Amends TCA Title 63, Chapters 6 and 7. by \*Ferguson.



**\*House Bill No. 3282** -- State Government - Creates Office of Title VI Compliance; assigns certain duties and powers to such authority. Amends TCA Title 4, Chapter 21. by \*Langster.

**\*House Bill No. 3283** -- Taxes, Privilege - Repeals tax on instruments evidencing an indebtedness, commonly referred to as "mortgage tax." - Repeals TCA Section 67-4-409(b). by \*Stamps.

**\*House Bill No. 3284** -- Taxes, Privilege - Repeals tax imposed on transfers of realty. - Repeals TCA Section 67-4-409(a). by \*Stamps.

**\*House Bill No. 3285** -- Taxes, Inheritance Gift - Exempts principal residence and real property held for agriculture use from inheritance taxes. Amends TCA Title 67, Chapter 8. by \*Stamps.

**\*House Bill No. 3286** -- Custody and Support - Authorizes court to enforce orders of visitation through license denial and revocation. Amends TCA Title 36, Chapter 6. by \*Patton, \*Bowers, \*McMillan, \*Ford S, \*Hood, \*Haley, \*Kerr, \*DeBerry J, \*Turner (Shelby), \*Beavers, \*Kernell, \*McDonald, \*Bone, \*Jones U (Shelby), \*Williams (Williamson), \*Pinion, \*Ridgeway.

**House Bill No. 3287** -- Education - Provides state funding for alternative schools at a certain level; requires LEAs to annually report certain information to commissioner of education. Amends TCA Title 49, Chapter 3, Part 3 and Title 49, Chapter 6, Part 34. by \*Turner (Hamilton), \*Stulce, \*Langster, \*Pruitt, \*Pinion.

**House Bill No. 3288** -- Banks and Financial Institutions - Prohibits financial institutions from assessing ATM usage fee against its customers; limits fee to \$1.00 per transaction for non-customers. Amends TCA Title 45, Chapter 16, Part 1. by \*Turner (Hamilton), \*Stulce, \*Langster, \*Pleasant.

**House Bill No. 3289** -- Courts, Circuit - Authorizes circuit court judges in Davidson County to appoint master Amends TCA Title 17, Chapter 2. by \*Jones, S..

**\*House Bill No. 3290** -- Insurance, Health, Accident - Requires, on or after 7/98, health plan coverage for basic rehabilitation services including physical, occupational and speech therapy. Amends TCA Title 56, Chapter 7, Part 25. by \*Odom.

**\*House Bill No. 3291** -- Election Laws - Requires elected officials to specifically name in disclosure statement, all firms and/or organizations in which such official has investments. Amends TCA Title 8, Chapter 50, Part 5. by \*Hargett.

**House Bill No. 3292** -- DUI/DWI Offenses - Creates pilot program in three judicial districts to randomly place under surveillance offenders who have had driver licenses suspended or revoked. Amends TCA Title 8, Chapter 7, Part 3 and Title 55, Chapter 10. by \*Pleasant, \*Hargett, \*Haley.

**House Bill No. 3293** -- Courts, General Sessions - Revises procedure by which special judge selected when general sessions or juvenile court judge unable to hold court Amends TCA Title 16, Chapter 15, Part 2. by \*Scroggs.

**WEDNESDAY, FEBRUARY 4, 1998 -- SIXTY-FIRST LEGISLATIVE DAY**

**\*House Bill No. 3294** -- Education - Enacts "Tennessee Twenty-First Century Neighborhood Schools Act." Amends TCA Title 49 accordingly. by \*Jones U (Shelby).

**\*House Bill No. 3295** -- Local Government, General - Provides procedures for municipal and county governments to cooperatively establish urban growth areas, boundaries and plans. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 13; Title 49; Title 67 and Title 68. by \*Kisber.

**House Bill No. 3296** -- Education, Dept. of - Abolishes Tennessee State Special School Teachers' Sick Leave Bank Act; includes all employees and teachers at state special schools in general state employees sick leave bank. Amends TCA Title 8, Chapter 50, Part 9, and to repeal Title 49, Chapter 50, Part 11. by \*Davis R.

**\*House Bill No. 3297** -- Sunshine Law - Makes meetings of certain organizations subject to open meetings law; makes certain records subject to open records law. Amends TCA Section 8-44-102 and Section 10-7-503. by \*Williams (Williamson).

**\*House Bill No. 3298** -- Annexation - Revises annexation provisions controlling plan of services promulgation and receipt and distribution of tax proceeds; limits annexation across county lines on initiative. Amends TCA Sections 6-51-102, 6-51-108, 6-51-115, and Title 6, Chapter 51, Part 1. by \*Curtiss, \*West.

**House Bill No. 3299** -- Professions and Occupations - Excludes Christian Science practitioners from TCA Title 63, Chapter 22, regarding professional counselors, marital and family therapists and clinical pastoral therapists. Amends TCA Section 63-22-204. by \*Mumpower.

**\*House Bill No. 3300** -- Auditing - Permits comptroller to initiate audit and supporting investigation or review on entities receiving grants from state. Amends TCA Section 4-3-304. by \*White.

**\*House Bill No. 3301** -- County Officers - Authorizes counties to adopt sick leave for county elected officials by 2/3 vote of county legislative body. Amends TCA Title 5, Chapter 5 and Title 8, Chapter 35. by \*Ferguson.

**\*House Bill No. 3302** -- Banks and Financial Institutions - Rewrites law on access to safe deposit boxes after death of sole or joint renter. Amends TCA Title 45, Chapter 2, Part 9 and Sections 67-8-417 and 67-8-418. by \*Hargrove.

**\*House Bill No. 3303** -- Education - Authorizes state agencies to remedy local school placed on probation and meet needs for capital expenditures. Amends TCA Titles 4, 9, 12 and 49. by \*Davidson, \*McDaniel.

**\*House Bill No. 3304** -- Education, Dept. of - Authorizes department to develop plan to transfer all or part of state testing program from University of Tennessee to department. Amends TCA Title 49, Chapter 1. by \*Whitson, \*McDaniel.

**\*House Bill No. 3305** -- Custody and Support - Creates federal waiver process through U.S. department of health and human services for operation of centralized unit for collection and disbursement of child and spousal support operated by state court clerk's conference. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 18; Title 34; Title 36; Title 37; and Title 71. by \*Haley, \*McDaniel.

**\*House Bill No. 3306** -- Taxes, Sales - Redefines "industrial machinery" for purposes of sales and use tax. Amends TCA 67-6-102. by \*Kisber, \*McDaniel, \*Beavers, \*Head.

**\*House Bill No. 3307** -- Correction, Dept. of - Merges probation and parole duties; creates board of probation and parole. Amends TCA 4-5-106; 4-29-223; 8-7-206; 8-50-501; 37-1-612; 38-6-102, 38-12-103, Title 39, Chapter 13, Parts 1, 5, and 7; 39-16-609; 39-17-432; Title 40; Title 41; and 55-50-501. by \*Kisber.

**\*House Bill No. 3308** -- Bond Issues - Authorizes \$355,500,000 bond issue to fund state projects. by \*McDaniel, \*Kisber.

**\*House Bill No. 3309** -- Appropriations - Makes appropriations to defray expenses of state government for fiscal year beginning July 1, 1998. by \*McDaniel, \*Kisber.

**House Bill No. 3310** -- General Assembly - Specifies that written reports to general assembly be delivered to speakers of senate and house, and only to those members requesting such reports. Amends TCA Title 1 through Title 70. by \*Burchett.

**House Bill No. 3311** -- General Assembly, Studies - Limits number of study committees in senate and house to number of standing committees in the senate and house, respectively. Amends TCA Title 3, Chapter 4, Part 1. by \*Burchett.

**House Bill No. 3312** -- Culture - Exempts certain not-for-profit arts organizations from property taxation. Amends TCA Title 67, Chapter 5, Part 2. by \*Garrett.

**House Bill No. 3313** -- Highway Signs - "Bill Morris Parkway," State Highway 385, Shelby County. by \*Jones U (Shelby), \*Haley, \*Chumney, \*Miller L, \*Hassell.

**\*House Bill No. 3314** -- State Prisoners - Requires convicts released from place of confinement to give warden address at which will reside upon release and to report to board of paroles in county of residence within 72 hours of release to confirm address. Amends TCA Title 41, Chapter 21, Part 2. by \*Burchett.

**\*House Bill No. 3315** -- Domestic Violence - Enacts "Domestic Violence Lethality and Fatality Review Panel Act of 1998." Amends TCA Section 4-29-220. by \*Burchett.

**\*House Bill No. 3316** -- Business and Commerce - Requires licensed pawnbrokers in Knox County to have computer systems capable of transferring information regarding pledged goods by January 1, 1999. Amends TCA Section 45-6-221. by \*Burchett.

**\*House Bill No. 3317** -- Highways, Roads and Bridges - Enacts "Tennessee Private Toll Road Act of 1998." Amends TCA Title 54, by \*White.

**\*House Bill No. 3318** -- Banks and Financial Institutions - Prohibits financial institutions from assessing ATM usage fee against its customers; limits fee to \$1.00 per transaction for non-customers. Amends TCA Title 45, Chapter 16, Part 1. by \*Jackson, \*Newton, \*Kernell.

**House Bill No. 3319** -- Banks and Financial Institutions - Prohibits financial institutions from charging usage fee for foreign access ATM cards. Amends TCA Section 45-16-103. by \*Jackson, \*Kernell.

**\*House Bill No. 3320** -- TennCare - Revises provisions concerning claims against an estate for certain medicaid expenditures. Amends TCA Title 71, Chapter 5, Part 1. by \*Bird.

**\*House Bill No. 3321** -- Fees - Increases penalty, from not exceeding \$25.00 to not exceeding \$500, local government may impose for false alarms on security systems for each false alarm when number of false alarms exceed three over 12 month period. Amends TCA Section 62-32-321. by \*Sargent.

**\*House Bill No. 3322** -- Wildlife Resources Commission - Requires commission to conduct public hearing before permanent rules and regulations adopted, notice of such public hearing must be published in newspapers at least 30 days before hearing. Amends TCA Title 4, Chapter 5 and Title 70. by \*Pinion.

**House Bill No. 3323** -- Pensions and Retirement Benefits - Authorizes retired educators participating in state insurance plan to pay graduated rate depending on years of service of such retired educator. Amends TCA Section 8-27-306. by \*Davidson.

**House Bill No. 3324** -- Common Carriers - Prohibits issuance of citations in lieu of arrest for registration, overweight and safety violations involving commercial motor vehicles, unless driver agrees to pay fine immediately via electronic funds transfer. Amends TCA Title 40, Chapter 7. by \*Davidson.

**\*House Bill No. 3325** -- Salaries and Benefits - Increases salary of commissioner of finance and administration to \$125,000. Amends TCA Title 3 and Title 8. by \*Miller L.

**\*House Bill No. 3326** -- Pensions and Retirement Benefits - Authorizes local education insurance committee to establish schedule of premium payments for retirees from local education agencies participating in group insurance plan. Amends TCA Title 8, Chapter 27, Part 3. by \*Rhinehart.

**\*House Bill No. 3327** -- Local Government, General - Removes prohibition on state and local governments operating hot-mix asphalt plants. Amends TCA Section 12-8-101. by \*Cross.

**\*House Bill No. 3328** -- Right to Die - Deletes witness requirement for living wills. Amends TCA Title 32, Chapter 11, Part 1. by \*Kernell.

**\*House Bill No. 3329** -- Right to Die - Deletes witness requirement for durable power of attorney. Amends TCA Section 34-6-203. by \*Kernell.

**\*House Bill No. 3330** -- Pensions and Retirement Benefits - Allows for separation of pension plans for employees of municipally owned utility systems from general municipal pension plans. Amends TCA Title 7, Chapter 52. by \*Tindell.

**House Bill No. 3331** -- Medical Occupations - Deletes prohibition against practice of naturopathy. Amends TCA Section 63-6-205. by \*Williams (Williamson).

**\*House Bill No. 3332** -- Criminal Offenses - Prohibits persons from professional engaging in practice of ticket scalping. Amends TCA Title 39, Chapter 17, Part 11. by \*Williams (Williamson).

**\*House Bill No. 3333** -- Highway Signs - Provides for erection of deer crossing and no parking signs on Flat Creek Bridge on S.R. 99 in Maury County and on S.R. 99 right-of-way at points within 1,200 feet in each direction from center of such bridge. Amends Chapter 384 of the Public Acts of 1993. by \*Sands.

**\*House Bill No. 3334** -- Hazardous Materials - Exempts farmers transporting certain agricultural products from certain requirements relative to transporting hazardous materials. Amends TCA Title 55 and Title 68. by \*Givens.

**\*House Bill No. 3335** -- Pharmacy - Allows pharmacist to disclose patient information to physician without liability if believed to be in patient's best interest. Amends TCA Title 63, Chapter 10. by \*Dunn.

**House Bill No. 3336** -- State Employees - Provides protections for state employees when state entities reorganized. Amends TCA Title 8, Chapter 30. by \*Chumney.

**House Bill No. 3337** -- State Employees - Provides for annual cost-of-living pay adjustment for state employees based on average of preceding two year increase in consumer price index. Amends TCA Title 8, Chapter 30, Part 2. by \*Head, \*McMillan, \*Jones U (Shelby), \*DeBerry J, \*Kernell, \*Eckles, \*McDonald, \*Pruitt, \*Jones, S., \*Ridgeway, \*Bone, \*Pinion, \*Langster, \*Williams (Williamson), \*Givens, \*Westmoreland, \*Huskey, \*Boner, \*Tindell, \*Turner (Hamilton).

**House Bill No. 3338** -- State Employees - Increases longevity pay for state employees and faculty of institutions of higher education from \$100 to \$150. Amends TCA Title 8, Chapter 23. by \*Hargrove, \*McMillan, \*Head, \*Jones U (Shelby), \*DeBerry J, \*Eckles, \*McDonald, \*Pruitt, \*Jones, S., \*Ridgeway, \*Bone, \*Pinion, \*Langster, \*Williams (Williamson), \*Givens, \*Kernell, \*Westmoreland, \*Huskey, \*Boner, \*Tindell, \*Turner (Hamilton).

**House Bill No. 3339** -- State Employees - Increases 401k match by state from \$20.00 to \$50.00 per month effective 7/1/98. Amends TCA Title 8, Chapter 25. by \*Rhinehart, \*Rhinehart, \*Head, \*McMillan, \*Jones U (Shelby), \*DeBerry J, \*Eckles, \*McDonald, \*Pruitt, \*Jones, S., \*Ridgeway, \*Bone, \*Pinion, \*Langster, \*Williams (Williamson), \*Givens, \*Kernell, \*Westmoreland, \*Kent, \*Huskey, \*Boner, \*Tindell, \*Turner (Hamilton).

**\*House Bill No. 3340** -- Highway Signs - "Pat Head Summitt Parkway," S.R. 12, Cheatham County. by \*Williams (Williamson), \*Davidson.

**\*House Bill No. 3341** -- Evidence - Permits court to allow testimony of child under 13 who is victim of abuse or sexual abuse to be taken at criminal trial of defendant by one-way closed circuit television under certain circumstances. Amends TCA Title 24, Chapter 7; Title 37 and Title 40, Chapter 35. by \*Sands.

**\*House Bill No. 3342** -- Taxes, Income - Raises limits on Hall income tax from \$9,000 for individuals to \$15,000 and from \$15,000 for couples to \$20,000. Amends TCA Title 67, Chapter 2. by \*DeBerry J.

**WEDNESDAY, FEBRUARY 4, 1998 -- SIXTY-FIRST LEGISLATIVE DAY**

**\*House Bill No. 3343** -- Taxes, Income - Reduces rate on Hall income tax by 1 percent per year until tax eliminated. Amends TCA Title 67, Chapter 2. by \*Stamps.

**\*House Bill No. 3344** -- Taxes, Franchise - Reduces franchise tax by 50 percent for small businesses employing less than 200 workers. Amends TCA Title 67, Chapter 4, Part 9. by \*Stamps.

**House Bill No. 3345** -- General Assembly - Limits to 21 number of paid office days during interim between sessions for members of general assembly. Amends TCA Title 3, Chapter 1. by \*Stamps.

**\*House Bill No. 3346** -- Attorneys at Law - Prohibits attorneys from taking contingency fees in excess of 20 percent of gross amount of judgment in civil actions. Amends TCA Title 23. by \*Kerr.

**\*House Bill No. 3347** -- Penal and Reformatory Institutions - Revises qualifications and compensation of warden of female penitentiary. Amends TCA Title 4, Chapters 3 and 6, and Title 41. by \*Rhinehart.

**\*House Bill No. 3348** -- Tennessee Wildlife Resources Agency - Increases from one to up to five number of free sport fishing days. Amends TCA Title 69 and Title 70. by \*Cross.

**\*House Bill No. 3349** -- Children - Provides certain parental rights to certain non-custodial, biological parents. Amends TCA Title 36, Chapter 6. by \*Chumney.

**\*House Bill No. 3350** -- Custody and Support - Removes presumption of custody by unwed mother; grants joint custody pending court determination. by \*DeBerry J.

**\*House Bill No. 3351** -- Custody and Support - Requires at least 146 days annual visitation for non-custodial parent not found to be unfit. Amends TCA Title 36, Chapter 6. by \*DeBerry J.

**\*House Bill No. 3352** -- Parks, Natural Areas Preservation - Transfers jurisdiction and control of Chucalissa Indian Village and Museum from University of Memphis to department of environment and conservation. by \*Cooper B.

**\*House Bill No. 3353** -- Telecommunications - Requires certain actions by state and local governmental entities in order to shield minors from pornographic and obscene materials available on publicly purchased computers via the Internet. Amends TCA Title 4, Chapter 3, Part 55 and Title 39, Chapter 17, Part 9. by \*Burchett.

**\*House Bill No. 3354** -- Telecommunications - Defines "rural incumbent local exchange telephone company"; specifies duties of such telephone companies. Amends TCA Section 65-4-201(d). by \*Head.

**\*House Bill No. 3355** -- Bond Issues - Authorizes bond issue of \$12 million to department of environment and conservation for certain golf courses. by \*McDaniel, \*Kisber.

**WEDNESDAY, FEBRUARY 4, 1998 -- SIXTY-FIRST LEGISLATIVE DAY**

**\*House Bill No. 3356** -- Juvenile Offenders - Establishes "Tennessee Teen Court Program of 1998." Amends TCA Title 37, by \*Givens.

**House Bill No. 3357** -- Custody and Support - Revises child custody provisions to provide for specific attention to certain holidays. Amends TCA Title 36, Chapter 6, by \*Miller L.

**\*House Bill No. 3358** -- Contractors - Authorizes board for licensing contractors to employ full-time legal counsel; compensation of such general counsel to be set by board. Amends TCA Section 62-6-106, by \*Ferguson.

**\*House Bill No. 3359** -- Privacy, Confidentiality - Establishes program for designating address for victim of domestic abuse. Amends TCA Title 2, Title 36, Chapter 6, by \*Pinion.

**\*House Bill No. 3360** -- Day Care - Provides for pilot, state-wide day care initiative. Amends TCA Title 49 and 71, by \*DeBerry L.

**House Bill No. 3361** -- Workers' Compensation - Excludes construction on structure for personal use from being considered as engaged in construction industry for purpose of coverage under Workers' Compensation Act. Amends TCA Section 50-6-113, by \*Williams (Williamson).

**\*House Bill No. 3362** -- Children's Services, Dept. of - Requires public hearing at applicant's expense before department may issue license to operate or expand independent living facility for children in or at risk of being in state custody; requires department to evaluate program effectiveness and places moratorium on issuing licenses for such new facilities until evaluation completed. Amends TCA Title 37, Chapter 5, Part 1, by \*Chumney.

**\*House Bill No. 3363** -- Health - Enacts "Tennessee Millennium Health Trust Fund Act." Amends TCA Title 67; 49; 63; 68 and 71, by \*DeBerry L, \*Hargrove, \*Bowers.

**\*House Bill No. 3364** -- Highway Signs - Permits county legislative bodies in counties in which segments of S.R. 6 are located to recommend names of individuals on S.R. 6 bridges, by \*Sands.

**\*House Bill No. 3365** -- Historical Sites - Enacts "Tennessee Preservation of Antiquities Act of 1998." by \*Williams (Williamson).

**\*House Bill No. 3366** -- Lobbying, Lobbyists - Requires registered lobbyists to wear picture IDs when lobbying or on assignment at Legislative Plaza, War Memorial Building or Capitol when general assembly in session. Amends TCA Title 3, Chapter 6, Part 1, by \*Jones, S., \*Langster, \*Eckles.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 621** -- Professions and Occupations - Requires certain licensing bodies to state reasons for denial of license and what remedies available to obtain such license. Amends TCA Title 62 and Title 63. by \*Fowler.

**\*Senate Bill No. 2053** -- Sports - Authorizes commissioner of commerce and insurance to withhold all or part of purse or other money payable to contestant, manager or second in professional boxing match for certain misconduct by such participants Amends TCA Title 68, Chapter 115, Part 2. by \*Cohen.

**\*Senate Bill No. 2060** -- Highway Signs - Provides for erection of directional signs indicating most direct route to Fayetteville at Exit 127 on I-24. by \*Cooper.

**\*Senate Bill No. 2064** -- Highway Signs - "Ernest 'Chip' Koella IV Memorial Bridge, S.R. 33, Little River, Blount County. by \*Koella, \*Atchley, \*Cooper, \*Henry, \*Herron.

**\*Senate Bill No. 2065** -- Utilities, Utility Districts - Changes procedures and policies for filling positions on board of commissioners for water utility districts lying in Franklin County. Amends TCA Section 7-82-307(ff). by \*Cooper.

**\*Senate Bill No. 2160** -- Municipal Government - Establishes four year window for municipal clerk or recorder appointed after 7/1/94 to meet certification requirement Amends TCA Section 6-54-120. by \*Womack.

**Senate Bill No. 2177** -- Military - Revises name of Tennessee defense force to Tennessee state guard. Amends TCA Title 58, Chapter 1. by \*Haynes, \*Henry, \*Harper, \*Burks, \*Miller J, \*Dixon, \*Womack.

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 2856** -- Medicine, Practice of -- Caption Bill Held on House Desk

**House Bill No. 2857** -- Medicine, Practice of -- Caption Bill Held on House Desk

**House Bill No. 2858** -- Medicine, Practice of -- Caption Bill Held on House Desk

**House Bill No. 2859** -- Education -- House Education Committee

**House Bill No. 2860** -- Teachers -- House Judiciary Committee

**House Bill No. 2861** -- Contractors -- House Commerce Committee



**WEDNESDAY, FEBRUARY 4, 1998 -- SIXTY-FIRST LEGISLATIVE DAY**

**House Bill No. 2862** -- Fees -- House State & Local Government Committee

**House Bill No. 2863** -- Telecommunications -- House Consumer & Employees Affairs Committee

**House Bill No. 2864** -- Veterans -- House Conservation & Environment Committee

**House Bill No. 2865** -- Alcoholic Offenses -- House Judiciary Committee

**House Bill No. 2866** -- Pardons and Paroles -- House Judiciary Committee

**House Bill No. 2867** -- Teachers -- House Education Committee

**House Bill No. 2868** -- Municipal Government -- House State & Local Government Committee

**House Bill No. 2869** -- Utilities, Utility Districts -- House State & Local Government Committee

**House Bill No. 2870** -- Taxes, Personal Property -- House Commerce Committee

**House Bill No. 2871** -- Criminal Offenses -- House Judiciary Committee

**\*House Bill No. 2872** -- Election Laws -- House State & Local Government Committee

**House Bill No. 2873** -- Mental Illness -- House Health & Human Resources Committee

**House Bill No. 2874** -- Mental Illness -- House Health & Human Resources Committee

**House Bill No. 2875** -- Adoption -- House Children and Family Affairs Committee

**House Bill No. 2876** -- Consumer Protection -- House Consumer & Employees Affairs Committee

**House Bill No. 2877** -- Local Government, General -- House State & Local Government Committee

**\*House Bill No. 2878** -- Education -- House Education Committee

**\*House Bill No. 2879** -- Parks, Natural Areas Preservation -- House Conservation & Environment Committee

**\*House Bill No. 2880** -- Tennessee Housing Development Agency -- House State & Local Government Committee

**WEDNESDAY, FEBRUARY 4, 1998 -- SIXTY-FIRST LEGISLATIVE DAY**

**\*House Bill No. 2881** -- Custody and Support -- House Children & Family Affairs Committee

**\*House Bill No. 2882** -- Alcoholic Beverage Commission -- House State & Local Government Committee

**\*House Bill No. 2883** -- Motor Vehicles -- House Judiciary Committee

**\*House Bill No. 2884** -- Sentencing -- House Judiciary Committee

**\*House Bill No. 2885** -- Pardons and Paroles -- House State & Local Government Committee

**\*House Bill No. 2886** -- Education -- House Education Committee

**\*House Bill No. 2887** -- Juvenile Offenders -- House Children and Family Affairs Committee

**House Bill No. 2888** -- Taxes, Sales -- House Finance, Ways & Means Committee

**House Bill No. 2889** -- State Government -- House State & Local Government Committee

**House Bill No. 2890** -- Municipal Government -- House State & Local Government Committee

**House Bill No. 2891** -- Alcoholic Beverages -- House State & Local Government Committee

**\*House Bill No. 2892** -- Aged Persons -- House Health & Human Resources Committee

**House Bill No. 2893** -- Teachers -- House Education Committee

**House Bill No. 2894** -- Annexation -- House State & Local Government Committee

**House Bill No. 2895** -- Taxes -- Caption Bill Held on House Desk

**House Bill No. 2896** -- Bond Issues -- House Transportation Committee

**\*House Bill No. 2897** -- Custody and Support -- House Children and Family Affairs Committee

**House Bill No. 2898** -- Bond Issues -- House Health & Human Resources Committee

**House Bill No. 2899** -- Bond Issues -- House Health & Human Resources Committee

**House Bill No. 2900** -- Education, Higher -- House Education Committee

**House Bill No. 2901** -- Public Funds and Financing -- House Finance, Ways & Means Committee

**WEDNESDAY, FEBRUARY 4, 1998 -- SIXTY-FIRST LEGISLATIVE DAY**

**House Bill No. 2902** -- Taxes, Personal Property -- House Finance, Ways & Means Committee

**House Bill No. 2903** -- Taxes, Real Property -- House State & Local Government Committee

**\*House Bill No. 2904** -- Education -- House Education Committee

**House Bill No. 2905** -- Employees, Employers -- House Commerce Committee

**\*House Bill No. 2906** -- Safety, Dept. of -- House State & Local Government Committee

**House Bill No. 2907** -- Unemployment Compensation -- House Consumer & Employees Affairs Committee

**House Bill No. 2908** -- Tennessee Regulatory Authority -- House Consumer & Employees Affairs Committee

**\*House Bill No. 2909** -- Taxes, Real Property -- House State & Local Government Committee

**\*House Bill No. 2910** -- Taxes, Income -- House Finance, Ways & Means Committee

**House Bill No. 2911** -- Education -- House Education Committee

**House Bill No. 2912** -- Day Care -- Caption Bill Held on House Desk

**House Bill No. 2913** -- Sexual Offenses -- House Judiciary Committee

**House Bill No. 2914** -- Local Education Agency -- House Education Committee

**House Bill No. 2915** -- Fees -- House Judiciary Committee

**House Bill No. 2916** -- Public Records -- House Judiciary Committee

**House Bill No. 2917** -- Taxes, Gasoline, Petroleum Products -- House Finance, Ways & Means Committee

**House Bill No. 2918** -- Drug and Alcohol Rehabilitation -- House Health & Human Resources Committee

**House Bill No. 2919** -- Public Funds and Financing -- House Commerce Committee

**House Bill No. 2920** -- Health -- House Health & Human Resources Committee

**House Bill No. 2921** -- Hospitals and Health Care Facilities -- House Judiciary Committee

**CAPTION BILLS REFERRED**  
**February 3, 1998**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 2280 held on the Clerk's desk were referred to the following Committee(s):

**House Bill No. 2280** -- Corporations -- House Commerce Committee

**CAPTION BILLS REFERRED**  
**February 4, 1998**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 2229, 716, 2262, , 2725, 2653, 2580 and 2582 held on the Clerk's desk were referred to the following Committee(s):

**\*House Bill No. 2229** -- Railroads -- House Transportation Committee

**\*House Bill No. 716** -- County Officers -- House State & Local Government Committee

**\*House Bill No. 2262** -- Election Laws -- House State & Local Government Committee

**\*House Bill No. 2725** -- Liens -- House State & Local Government Committee

**House Bill No. 2653** -- Medicine, Practice of -- House Government Operations Committee

**\*House Bill No. 2580** -- Attorneys at Law -- House Commerce Committee

**\*House Bill No. 2582** -- Collection Agencies -- House Commerce Committee

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **February 3, 1998**, reported the following:

**COMMERCE**

The Commerce Committee recommends for passage: House Bill(s) No(s). 2048; also House Bill(s) No(s). 1678 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

**CONSERVATION AND ENVIRONMENT**

The Conservation and Environment Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2339. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 2161, 2168 and 2169. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that House Bill(s) No(s). 2208 be transmitted to the Commerce Committee.

### STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 2073. Under the rules, each was transmitted to the Calendar and Rules Committee.

### REPORTS FROM STANDING COMMITTEES

The committees that met on **February 4, 1998**, reported the following:

#### CHILDREN & FAMILY AFFAIRS

The Committee on Children and Family Affairs recommended for passage: House Bill(s) No(s). 2079 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 2129 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 2095, 2247, 2104, also House Joint Resolution(s) No(s). 440 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2133 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### CONSENT CALENDAR

**House Joint Resolution No. 491** -- Memorials, Death - Joan Pitt Rew Derryberry. by \*Hargrove.

**House Joint Resolution No. 492** -- Memorials, Professional Achievement - Captain Tom Brown, "Firefighter of the Year.". by \*Hargrove.

**House Joint Resolution No. 493** -- Memorials, Professional Achievement - Daryl Brown, 1997 Tennessee's Young Farmer of the year and 1998 American Young Farmer Achievement Award winner. by \*Sands, \*White.

**House Joint Resolution No. 495** -- Memorials, Sports - 1997 Brentwood High School girls' golf team, TSSAA Division 1, Class 3-A state champions. by \*Sargent.

**House Joint Resolution No. 498** -- Memorials, Sports - Loftis Middle School cheerleaders. by \*Stulce, \*Wood.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	97
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

## REGULAR CALENDAR

**House Joint Resolution No. 490** -- Memorials, Retirement - Sister Elizabeth Stephens. by \*Sands, \*White, \*Hood.

Further consideration of House Joint Resolution No. 490, previously considered on February 2, 1998, at which time it was objected to on the Consent Calendar and reset to today's Regular Calendar.

Rep. Sands moved that House Bill No(s). 490 be reset for the Regular Calendar on February 18, 1998, which motion prevailed.

**House Bill No. 2046** -- Warren County - Subject to local approval, removes requirement that office of superintendent of roads be located at county courthouse. Amends Chapter 61 of the Private Acts of 1959. by \*Rhinehart, \*Curtiss.

Further consideration of House Bill No. 2046, previously considered on February 2, 1998, at which time it was objected to on the Consent Calendar and reset to today's Regular Calendar.

On motion of Rep. Rhinehart, **House Bill No. 2046** was withdrawn from the House.

## **UNFINISHED BUSINESS**

### **BILLS WITHDRAWN**

On motion of Rep. Halteman Harwell, **House Bill No. 7** was recalled from the Finance, Ways & Means Committee and withdrawn from the House.

On motion of Rep. Halteman Harwell, **House Bill No. 8** was recalled from the State & Local Government Committee and withdrawn from the House.

On motion of Rep. Halteman Harwell, **House Bill No. 891** and **2078** were recalled from the Transportation Committee and withdrawn from the House.

On motion of Rep. Halteman Harwell, **House Bill No. 1391** was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. Halteman Harwell, **House Bill No. 1809** was withdrawn from the House.

On motion of Rep. Halteman Harwell, **House Bill No. 2042** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Halteman Harwell, **House Bill No. 2203** was recalled from the Health & Human Resources Committee and withdrawn from the House.

## **RECOGNITION IN THE WELL**

Representative Hargrove moved that the House dispense with session on Wednesday, February 11, 1998, which motion prevailed.

## **ANNOUNCEMENTS**

### **REPORT FILED**

The Clerk announced that the proposed amendments to the rules of civil procedure, to the rules of criminal procedure, to the rules of appellate procedure, and to the rules of evidence were submitted and are on file in the Clerk's office.

The Clerk announced that the special study committee for labor related bills, relative to the memorandum of understanding for local governments has filed its report with the Clerk's office.

The Clerk announced that the report of the special committee to study the usage and effects of ritalin created pursuant to HR 162 of the 99th General Assembly and continued by HR 19 of the 100th General Assembly has been filed with the Clerk's office.

**ENGROSSED BILLS  
February 4, 1998**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 491, 492, 493, 495, 498 and 507.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 97

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

**RECESS MOTION**

On motion of Rep. Hargrove, the House recessed until 9:00 a.m., Thursday, February 5, 1998.